

PETTY TYRANNY AND OPPRESSION

Workhouse Lives Under the Long Nineteenth-Century Poor Laws



Paul Carter and Steven King

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To Natalie, my wife, for reading, comments and calming words;
and to John, my son, for giving me a sense of perspective! — Paul

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Glossary

BRO	Berkshire Record Office
BURO	Buckinghamshire Record Office
CHRO	Cheshire Record Office
COWAC	City of Westminster Archive Centre
CROK	Cumbria Record Office (Kendal)
CWRO	Cornwall Record Office
DRO	Dorset Record Office
EYRO	East Yorkshire Record Office
HERO	Hertfordshire Record Office
HRO	Hampshire Record Office
HROH	Herefordshire Record Office
LA	London Archive
LGB	Local Government Board
LIRO	Lincolnshire Record Office
LRO	Lancashire Record Office
LROW	Leicestershire Record Office (Wigston)
MRO	Manchester Record Office
NFRO	Norfolk Record Office
NRO	Northamptonshire Record Office
ORO	Oxfordshire Record Office
PLB	Poor Law Board
PLC	Poor Law Commission
TNA	The National Archives
WYAS	West Yorkshire Archive Service
WRO	Wiltshire Record Office

Preface

This volume analyses how, and how effectively, the central state and the local state used their various powers to try to control the lives of the very poorest English and Welsh citizens. In particular, we focus on the workhouse (or the threat of it) as a mechanism for containing, directing, confining, and disciplining the poor. We do so for the period starting with the so-called ‘crisis of the Old Poor Law’ from the late eighteenth century – a period in which the poor are often seen to have lost their legitimacy in the eyes of the local taxpayers who funded welfare¹ – through to the outbreak of World War I. Our decision to end the analysis at this point is prompted by the fact that the Liberal Welfare Reforms from 1906 onwards began to provide significant state assistance to the working class outside of the New Poor Law in ways that fundamentally changed the meaning and purpose of the workhouse.²

Turning away from the normative lens through which the operation of workhouses has been viewed – that of large-scale ‘national’ scandals, of which Andover is perhaps the most familiar³ – we develop a new model of ‘petty tyranny’ that has a greater geographical and temporal application across late-eighteenth, nineteenth and early-twentieth-century England and Wales. Thus, we argue that managing and controlling the institutional poor, and sending signals to inmates and those who might become inmates, was less a matter of extreme brazen, brutal, and deadly punishment regimes (although petty acts by poor law officials might also have brutal or deadly effects) and more that the parties who participated in the core power relationships of the Old and New Poor Laws generally dealt in lesser material, practical, and symbolic currencies. These – often small – everyday acts, omissions, punishments, and neglects became cumulative and well-understood, creating both a potential framework of oppression and the landscape for resistance. Such acts

1 Hollen-Lees, *The Solidarities*, pp. 82–111; Dunkley, *The Crisis*. On the then-recent history of real terms increase in the value of allowances, see Waddell, ‘The Rise of the Parish’.

2 Cooper, *The British*.

3 For a rendering of this approach and its importance, see Shave, “Immediate Death”.

were sometimes entrenched and routinized within workhouse regimes under *both* the Old and New Poor Laws (for which reason we eschew the normative chronological boundary of 1834), imprinting a ‘pauper expectation’ on generations of the nineteenth-century and early-twentieth-century poor.

It will be obvious from this description that our project is freighted with both conceptual and practical difficulties. These include, *inter alia*,

- tracing workhouse experiences across two different poor law systems, under both of which local power in deciding the form and function of welfare remained strong;⁴
- dealing with two countries – England and Wales – notionally yoked together under the Old and New Poor Laws but with very different trajectories of poor law experience, cultural attitudes, and language structures;⁵
- gaining adequate chronological and spatial coverage, given that the poor laws were imprinted upon and reacted to very different/fluid causes of poverty, taxable capacities, and ingrained cultural attitudes towards welfare recipients;
- defining what a workhouse might be under the two poor law systems and understanding the role of these places in the emergent institutional infrastructure of nineteenth- and early-twentieth-century England and Wales; and,
- defining what we understand by ‘petty tyranny’ given the very different histories and disciplinary constructions of the term.

In the first place we can turn to the basic question of what a workhouse ‘was’? As Steven King has suggested elsewhere, for the Old Poor Law there is no intuitively easy answer to this question.⁶ The building or renting of workhouses had been legislated under the Old Poor Law via Knatchbull’s Act of 1723, and it was given further impetus by Gilbert’s Act of 1782. Both were pieces of enabling legislation and stood alongside the traditional route for taking local initiative via private act.⁷ These routes for action have yielded well-known examples of local or municipal workhouses, including, for instance, Liverpool (Lancashire) and Bristol (Gloucestershire), where work was indeed a central motif for inmates. Some of the pre-1834 workhouses, e.g. those at Southwell (Nottinghamshire) and Gressenhall (Norfolk), have both survived

⁴ King, *Poverty and Welfare*, *passim*.

⁵ Innes, ‘What would’; Carter *et al.*, “‘in this Country’”.

⁶ King, ‘Poverty, Medicine’; see the extended discussion in Taylor, ‘The unreformed workhouse’, pp. 60–62.

⁷ Innes, ‘The local acts’. Also Morris, *Local Government*.

as buildings and provided a model for the sorts of deterrent workhouse buildings and regimes that have become the mainstay popular image of such places.⁸ More widely, however, workhouse provision was heavily regionally concentrated – very significant in East Anglia or London, for instance, but rarer in Wales⁹ – and the singular feature of parish experiences under the Old Poor Law was transience. An 1804 report collected evidence of the existence of just over 4,800 workhouse-like institutions in England and Wales under the different organizational incarnations of the Old Poor Law, but this was a measure of stock rather than flow.¹⁰ Very few workhouses, even in places such as Norfolk, had a long continuous existence outside those built or rented by unions of parishes formed under the Gilbert/Private Act.¹¹ Nor was it the case that either work or deterrence stood at the heart of the regimes of all of these places.¹² So-called ‘workhouses’ existed across a spectrum: from individual or small groups of domestic buildings acquired by Old Poor Law authorities and used as housing for the aged, sick, or children and with no one in charge,¹³ through ‘farmed’ workhouses where a contractor on an annual (or longer) basis would be chosen to run the workhouse for a per capita payment,¹⁴ and on to large institutions such as that of the Liverpool Vestry, which ran many of the same work, dietary, and punishment regimes as were then adopted under the New Poor Law. A single parish might run across this spectrum over a number of years as it alternated between indoor and outdoor relief forms by way of controlling its bills.¹⁵ Thus, although we can say with confidence that the number of people in or passing through broadly construed ‘workhouses’ rose in the post-1834 period, the magnitude of difference is a more difficult issue. We revisit this complexity of place and form in chapter 2. Meanwhile,

8 Beckett, ‘Politics and the Implementation’, pp. 208–10. See also Newman, ‘To punish or protect’. For discussion of how the physical fabric might be ‘read’ by poor law historians, see Ottaway and Mason, ‘Reconsidering poor law institutions’.

9 Ottaway, ‘The purposeful’, pp. 9 and 12–14; Boulton and Black, ‘Paupers and their experience’.

10 Parliamentary Papers: House of Commons, XIII, *Abstract of the answers and returns made pursuant to Act 43 Geo 3, relative to the expense and maintenance of the poor in England* (1803–4), p. 716.

11 On Gilbert Act workhouses see Shaw, *The Loes and Wilford*, pp. 83–96.

12 Jones and King, *Pauper Voices, passim*. On work, see Ottaway, ‘The purposeful’.

13 Broad, ‘The parish poor house’.

14 ‘Farmers’ often retained the proceeds of pauper work but also complained that parish officers did not send them enough able-bodied workers.

15 As, for instance, did the Lancashire parish of Garstang, which planned new workhouse buildings, rented space in other workhouses, and used its own parish housing stock without, seemingly, any overarching policy. See LRO DDX 386/3, Garstang Vestry Minutes.

workhouses were part of a matrix of institutional provision that was rapidly expanding by the early nineteenth century. Voluntary hospitals, houses of correction, prisons, specialist homes for particular groups such as children or the deaf, and other ‘refuges’ all had some aspects of a disciplinary regime, and the poor who traversed their ‘care’, or the officials and staff who often moved between them, might thus have wide experience of both tyranny and resistance across very different institutional contexts.¹⁶

Theoretically, the issue of what a workhouse ‘was’ becomes easier under the New Poor Law. Specific guidance was given by the newly convened Poor Law Commission (PLC) about work, punishment, and experiential regimes, alongside formal guidance about classification of inmates and the design and function of workhouse buildings. The PLC was the first iteration of that central government department given the powers to oversee, supervise, and manage pauperism nationally, and its commissioners predicated the new system on an increased provision of workhouse capacity. While the Central Authority¹⁷ had in practice less power than we have often ascribed to it,¹⁸ a combination of local pressure, general orders applying to all unions, investigation of abuses, and controls on spending did result in a number of building waves for workhouse premises.¹⁹ Yet, the fact that Gilbert Unions and other workhouses formed as part of local acts were not compulsorily dissolved under the New Poor Law legislation of 1834 meant that many Old Poor Law institutions continued to have a presence into the 1860s.²⁰ Prior to this, the gradual nature of union formation and the sometimes-slow pace of new workhouse building meant that many Old Poor Law institutions were simply repurposed as general or specialist workhouse facilities.²¹ This mattered both for the sorts of regimes that were or could be operated in such places and for the sorts of staff and inmates we encounter there.²² As Alan Kidd pointedly reminds us, ‘there was no entirely consistent or uniform national poor law’.²³ Nor was

16 On circulation, see King, “‘still about the town’”.

17 The ‘Central Authority’ began as the PLC from 1834 to 1847, then became the PLB up to August 1871, and then the Poor Law Department within the LGB to the end of our period of study. Where necessary we refer to these three bodies collectively as ‘the Centre’ or ‘the Central Authority’.

18 King *et al.*, *In Their Own Write*, chapter 3.

19 Driver, *Power and Pauperism*, pp. 73–93. Most recently, Newman and Fennelly, *Poverty Archaeology*, pp. 20–24.

20 For an example of the problems these hangovers posed, see James, ‘The Women-Floggers’.

21 Newman and Fennelly, *Poverty Archaeology*, pp. 2–9; Ashforth, ‘The urban poor law’, p. 133.

22 On the contested care of the lunatic poor, for example, see Smith, ‘Lunatic asylum’.

23 Kidd, *State, Society*, p. 32.

the meaning of the term ‘workhouse’ static after 1834. It is well known that the workhouse rapidly became, in most places and in most years, a facility for those who were not able-bodied. Even some of those initially classified as able-bodied subsequently contested this label.²⁴ In turn, a constant building, rebuilding, and repurposing programme across the middle and later decades of the New Poor Law took certain groups of paupers – especially children²⁵ – out of the formal confines of the workhouse itself and (via the constant expansion of infirmaries) the institution attained an increasingly medical ‘feel’.²⁶ These changes in the character and scope of local welfare regimes – an aspect of some of the ‘big forces’ shaping and framing our reading of the Old and New Poor Laws – might have affected the nature of processes of control, retribution, punishment, and resistance. We return to the question of ‘big forces’ and explanatory superstructures in chapter 1.

Dealing with these complexities is in part a function of the size and depth of our dataset, something to which we return below. To interrogate this data, we have adopted a single definition of the term ‘workhouse’, taking it to mean any building or collection of buildings (either concentrated or dispersed) that was/were the locus for the dispensation of welfare in cash or kind to residents, whether or not that welfare was conditional (on work, for instance) or directly overseen by paid staff. The latter part of the definition allows for the fact that Old Poor Law workhouses were frequently under the charge of paupers or only indirectly supervised by parochial poor law officials. This is a wider definition than that proposed by Tim Hitchcock in his early and foundational study of the English workhouse, but it is one that fits keenly with the lessons of our data and the linguistic register of institutions employed by contemporary officials and ratepayers.²⁷ Our approach still leaves some definitional uncertainty – almshouses, for example, were a locus for residential welfare from charities, might have been under the supervision of a governor, and sometimes required communal work on gardens or buildings, but we do not class them in our analysis as workhouses²⁸ – but it is one that has an imprint in our sources and was widely understood by contemporaries.

²⁴ Jones, ‘Looking through’.

²⁵ King and Beardmore, ‘Contesting the workhouse’.

²⁶ Something clearly reflected in The National Trust’s long-term project to restore the Infirmary Wing at the Southwell Workhouse.

²⁷ Hitchcock, ‘The English Workhouse’, pp. 3–4, argued that a workhouse was ‘any house ... with at least one paid manager, wherein all types of paupers were housed and where some attempt was made to put them to work’.

²⁸ Leivers, ‘Housing the elderly’.

Other conceptual and practical difficulties are confronted and resolved further into the book, but a second definitional issue requires treatment here: that of defining ‘petty tyranny’. While the term has passed out of regular modern usage, it retains a powerful historiographical hold on our understanding of medieval and early modern society. This is particularly so in the context of monarchical and political tyrannies, where its rhetorical and strategic deployment is and was associated with the arbitrary exercise of unconditional power, the bypassing of hierarchical political checking mechanisms, the suspension (or arbitrary use) of law, and the breach of customary structure and practice. The tyrannical practice of colonialism or of military and other punishment was to be constructed in exactly the same way.²⁹ Moreover, the sense of the term has also been extended to questions of taste and fashion (where dominant influencers, producers, and marketers use their outsized power to exclude others) and even to the matter of distance, e.g. as with observations about the inability of central or colonial states to prevent the imperfect operation, implementation, or control of state power in the peripheries. It is too simplistic to argue that ‘tyranny’ in the contemporary mind was associated *just* with questions of power relations, but even so the question of power and the rules that shaped or hedged that power is central, and nowhere more so than where the term was used in relation to welfare or wider contestation of class relations.

Thus, in an insightful analysis of early modern parochial corruption, Mark Knights argues that structures of fiduciary trust provided a set of expectations – disinterestedness, transparency, accountability eschewing personal gain, and a broadly constructed duty of care – for how parochial activities were to be conducted and a rhetorical and practical means to challenge office holders through charges of corruption.³⁰ Daniel Defoe and other contemporary commentators elided such corruption explicitly with the label ‘parochial tyranny’, highlighting the fluidity of the term and the fact that its meaning can hide in plain sight.³¹ Similarly, while the passive (inspection and approval mechanisms of parochial officers or conduct) and active (judicial review of local welfare decisions or inactions) engagement of judges and magistrates with localities is often framed in terms of the development of resilient structures of law, it

²⁹ Wade, *Tyranny and the Lash*.

³⁰ Knights, ‘The Ambiguities’, pp. 144–7; Knights, *Trust and Distrust*.

³¹ Knights, ‘The Ambiguities’, p. 154; D. Defoe [published as Andres Moreton], *Parochial Tyranny: Or, The Housekeeper’s Complaint Against the Insupportable Exactions, and Partial Assessments of Select Vestries. &c: with a plain detection of many abuses committed in the distribution of public charities together with a practicable proposal for amendment of the same* (London: J. Roberts, 1727).

might equally be understood as an exercise in control of potentially tyrannical powers vested in individuals who might be of variable ability and character.³²

We return to the latter discussion in chapter 3. Meanwhile, a consideration of radical and protest movements moves us closer to an appropriate definition of petty tyranny for this volume. During the 1818 Lancashire cotton weavers' strike, leaders and organizers railed against the tyranny of the government, attributing the lack of 'fair pay' to an absence of and resistance to proper regulation, universal suffrage, and corrupt vested interests. Yet they also focused on the tyranny of employers – 'petty monarchs' – and used the writings of John Locke to understand many of their actions – use of excessive force, sackings, breach of customary practice, and self-reward – as simultaneously legal and deeply tyrannical.³³ Chartism and Swing were equally complex moments. Activists and supporters co-opted languages of justice, servility, degradation, slavery, savagery, the ruthless exercise of power, and the 'corrosion of the bonds uniting the different classes of society'.³⁴ The Chartists in particular, however, also employed wide concepts of tyranny: the 1839 petition accused political elites of 'tyrannously' crushing the wider interests of 'the people', while the 1842 petition accused the government of being both unconstitutional and 'tyrannical'.³⁵

This language has not troubled subsequent memorialization of Chartism and Chartists,³⁶ not least because even at the time (and as Katrina Navickas points out) there was a surfeit of linguistic registers to capture the tensions between rights and liberties or power and the absence of power that were at the heart of the Chartist project.³⁷ Nonetheless, the presence of concepts of tyranny in the Chartist petitions is significant, pointing to a sense that, while the structures of oppression and exclusion that ensured the power of political and economic elites might have been legally and procedurally grounded – and perhaps even explicable and understandable – they constituted an illegitimate and arbitrary noose around the necks of the general population. As Robert Saunders argues, a 'sense of Chartism as an appeal for government, and for a renewal of its duty of care towards the masses, was widely articulated'.³⁸ Not all Chartists, Swing rioters or striking cotton workers framed their grievances

32 Ball, *The Historical Origins*; King, 'The Rights of the Poor'.

33 Gaston Hall, 'Tyranny, work and politics', p. 468.

34 Saunders, 'Chartism', p. 465; Jones, 'Swing, Speenhamland'.

35 Chase, 'What Did Chartism Petition For?', pp. 543–4.

36 Roberts, 'Popular politics'.

37 Navickas, 'The Contested Right'.

38 Saunders, 'Chartism', p. 474.

in the same ways or registers, or even necessarily believed the same thing, but they shared a ‘feeling’ that concentrated power was being used in planned and effective ways against them notwithstanding widely assumed and claimed customary rights/duties and the notional protections of law and process. They felt the weight of tyranny wrapped up in processes, controls (or lack of them), and the scope for individuals to curate the lives of others within the rules that codified power.

This is certainly how the poor and their advocates understood the macro- and micro-experiences of the Old and New Poor Laws. Thus, the Buckinghamshire vicar Thomas Hayton wrote to the PLC on 5 March 1842 to contest a decision forcing an aged couple into the workhouse, something that he felt went against the ‘fair interpretation’ of the 1834 legislation. Warming to his task he appealed ‘to you as a tribunal which I have always deemed absolutely requisite to restrain the caprice & tyranny of petty local caballing jurisdiction’.³⁹ Here, then, the guardians and their officers acted within the letter of the law but personally chose to break customary obligations to and recognitions of family (the aged couple and the parish family of the poor) and to exercise power in ways that were regarded as illegitimate by the wider parochial population. Later, in his volume of letters, Hayton would construct the wider role of the clergy in exactly this way, suggesting that a proper churchman would in the everyday ‘have to raise up the down-trodden and bind up their wounds and cheer the sufferers amid tyranny and wrong’.⁴⁰ The ‘feeling’ that the law and process of the New Poor Law would encode the chance or likelihood of systemic and personal tyranny was also a theme for its critics from the outset. Thus, in April 1836 the *Weekly True Sun* carried an editorial suggesting that ‘a trial of the Bill in question [the New poor Law], on a large scale, will satisfactorily prove the general repugnance of the people to its tyranny’. The bill, this editorial contended, was a ‘legislative or executive act of tyranny’, and it asked whether ‘any tyranny be conceived more frightful—more disruptive of the bonds of society, or more calculated to excite an insurrection of despair than that of separating man and wife—bursting asunder the most endearing ties’.⁴¹

The poor themselves also employed the concept and register of tyranny. William Lloyd wrote to the (then) Oxfordshire parish of Caversham on 26 November 1818 noting the parish’s intention to renege on an agreement with him and reduce his allowance: ‘I can not consent to That Tyranny. I think the

39 J. Donald (ed.), *Letters of the Revd Thomas Hayton: Vicar of Long Crendon, Buckinghamshire 1821–1887* (Chesham: Buckinghamshire Record Society, 1979), p. 56.

40 Donald, *Letters*, p. 152.

41 *Weekly True Sun*, 17 April 1836, p. 4.

leats the Parish can do is to allow 3s per week How can the[y] think that I can suport a wife and 2 or 3 children with only 8s or 10s per week at such a Dear place as Oxford. I cannot concent to starve my self to favour my Parish.’⁴² In a similar vein, John Hankison, who ‘Belongs to Knutsford workhouse’,⁴³ wrote in 1858 that he had been put to work when unfit and that his diet had been restricted. Both decisions by the workhouse staff were lawful and potentially procedurally correct but Hankinson claimed that he had been ‘Badly used By Hard labour and tirany used Me in abruit Manner’.⁴⁴ The remarkable personification of the workhouse master *as himself* ‘tirany’ is striking, and rooted in perceived imbalances of power.

Some fifty years later, in 1907, paupers still had a clear grasp of the linguistic and conceptual register of tyranny. Alfred Lewis, an inmate of the Holborn Union workhouse (Middlesex), appeared before a magistrate for being drunk and damaging union property. Lewis claimed that he ‘did the damage in order to bring his case to the notice of the Local Government Board. I would then say something about the Master and his dealings at the Workhouse. The tyranny exercised there was shocking.’⁴⁵ This included unfair reductions in diet, allowing clothing to become infested with vermin, and refusing justifiable requests for leave, as well as enforcing silence. These small acts, irritating in themselves, cohered to generate a regime of petty tyranny in Lewis’s mind.

Where the poor did not use the linguistic register of tyranny, they persistently (and across all the source types used here) described and rhetoricized its everyday architecture, particularly in the context of institutionalized welfare. This included, among many other things, delayed action, casual and deliberate provision of underweight or poor-quality food, undoable work, restrictions on movement and action, punishments for minor infractions that might once have been (or under a different official might still be) ignored, and the threat of enforced workhouse residence when other options existed. Such practices were within the scope of law, precedent, and process, but they clashed with wider notions of custom, humanity, fairness, compassion, and even morals. They were symbolic and practical reminders of dependence and the ‘feeling’ of the illegitimate use of power.

How far we can measure the incidence and depth of tyranny understood in these ways (or indeed whether we *should* do so) is a matter for chapter 1.

42 ORO, D/P 162/18/2/4, Letter from William Lloyd, November 1818.

43 The elision of his workhouse status and an inference that he was the property of that workhouse is also of course an aspect of petty tyranny.

44 TNA: MH12/775,29432/1856, Letter from John Hankison, Knutsford workhouse, to the PLB, 10 July 1858.

45 *Croydon Express*, 5 October 1907, p. 1.

Meantime, much of the accumulated historiography casually elides (or substitutes) ‘petty tyranny’ with phrases such as ‘abuse’ or ‘cruelty’. In this volume, however, we follow paupers and advocates in seeing the latter terms and associated practices as a subset of ‘tyranny’. In this context, instances of abusive or cruel practices were often (but not always) deployed within the confines of the law or on its margins. They largely focus on the actions (acts of omission or commission) and attitudes of *particular individuals* and those who failed to hold them to account. The wider canvas of petty tyranny certainly includes these things, but it *also* encompasses allegations and experiences of systemic (and sometimes temporally sustained) petty actions in particular places as well as broader system-level failings that underpinned a ‘feeling’ of subjection. This tripartite definition underpins the analysis in subsequent chapters. In turn, we understand petty tyranny as *different* to scandal. Many Old and New Poor Law scandals involved accretive and cumulative episodes of petty tyranny until particular circumstances (people, events, publicity, investigative journalism) propelled them into formally investigated or publicized ‘scandals’ that attracted sustained condemnation and sometimes action. Samantha Shave has expertly traced this process across several unrelated scandal episodes.⁴⁶ Through this process of publicity, petty tyrannical acts could (and did) become scandals, just as in the modern welfare and healthcare arena.⁴⁷ Mostly, however, the immediate raw material for scandals (historically and in the present) was where action or inaction at local level clearly breached the law, rules, or accepted process of the poor law, or indeed of the wider law. These instances – flogging girls, sexual predation, ignoring dietaries such that paupers had to eat putrid flesh from bones they were meant to crush, or working paupers to death – are well known from the secondary literature. By contrast, our contention is that most petty tyranny remained part of the everyday experience and contestation of workhouse regimes, whether or not we see scandals develop.

In this context, five different categories of petty tyranny emerge from our sources. We do not, of course, argue that all paupers suffered petty tyranny all of the time; rather, our contention is that these five categorizations sat in the background of the relief process under both the Old and New Poor Laws, creating a well-known – even internalized – potential for systematic or systemic petty tyranny to manifest in different constellations according to time, place, or the character of local officials. Our five categories are as follows.

⁴⁶ Shave, *Pauper Policies*, *passim*.

⁴⁷ Brown *et al.*, ‘Understanding policy scandals’, pp. 127, 130.

- *Process*: shortening rations; refusing out-relief to ‘difficult’ paupers, thus lengthening their institutional stay; refusal of visiting; elongated admission processes so as to ensure that new inmates went hungry or cold; and, crucially, the threat and actuality of removal back from a place of residence to a parish or union workhouse under the auspices of the settlement or outdoor relief restriction laws.⁴⁸
- *Person*: refusing to hear pauper complaints about officers, regimes, or other paupers; extended periods in workhouse lock-ups; targeted punishments (or threats thereof); active use of gossip; sexual harassment; repetitive verbal chastisement.
- *Conflict*: formal punishment; forced medical treatment; sanctions such as withdrawal of privileges; menacing language; failing to follow prescribed rules; allotment of difficult work tasks.
- *Neglect*: symbolic tyrannies such as deliberately failing to wash or repair clothes; provision of substandard food; allowing the spread of disease; failing to control gossip.
- *Inaction*: failing to prevent or punish violence on problematic paupers by other inmates; failing to respond to requests for leave of absence; failing to appoint enough staff; failing to investigate rumours of flawed systems.

Some of these categories are inherent to all institutionalized systems of containment, or map easily onto the conceptual infrastructure of political, religious, monarchical, gender, and even racial tyrannies, where arbitrariness is a key signature.⁴⁹ Others – especially, for instance, those linked to process – have very particular Old and New Poor Law manifestations. By ignorance or intent, they were there to make life difficult for inmates, irrespective of whether or not workhouses were founded on deterrent principles. Collectively, these categories capture the important duality of the character and actions of individuals (parish officials, union officers, guardians, and national officials) willing to take part in behaviours that paupers would understand as tyrannical; and the systems, rules, regulations, protocols, and laws that allowed those individuals to operate tyrannically. They underpin the analysis of subsequent chapters.⁵⁰

In the meantime, we also talk in this book (chapter 8) about *resistance* to tyranny, rather than the broader and more amorphous concept of agency.

48 For the definitive statement on the laws of settlement, see Snell, *Parish and Belonging*, pp. 81–161.

49 Nyquist, *Arbitrary Rule*; Winship, ‘Freeborn (Puritan) Englishmen’; Gianoutsos, *The Rule of Manhood*.

50 For this distinction, see Webber, ‘Troubling Agency’.

The term resistance focuses inwardly on institutional welfare regimes, and at the conceptual level it deals with the way in which individuals met real and symbolic acts of petty tyranny with (episodic or persistent) acts of disobedience, retribution, and pushback. This concept of resistance – a key element in James Scott’s anthropological approaches to the way in which ordinary people confront heavily unequal structures of power – can include words (particularly the moral arguments made by paupers and their advocates), acts, use and misuse of material culture (graffiti on the walls of the Southwell Union exercise yards, for instance⁵¹), inactions, and appropriation of language, rules, laws, or spaces.⁵² In a cumulative sense, these acts of resistance *might* end up as intended and actual agency, but they were not necessarily planned in this way and nor was their accumulation in the workhouse context inevitable or systematic.

This will be the first study to systematically link the meaning and experiences of the workhouse under *both* the Old and New Poor Laws.⁵³ Such a temporal span poses questions about how (or whether) we use administrative and legal reorganizations of the welfare system, economic trends, or changing understandings of the causation of and responsibility for poverty as framing variables. This matter is taken up in chapter 1. Meanwhile, as a study of both England and Wales, our project demands a formidable dataset. To this end we have assembled five substantial source strands.

First, letters written by or for officials, the poor, and advocates. The Old Poor Law sample covers the period 1780–1838 and draws on letters from every county in England and Wales. The majority of the 15,000+ English and Welsh parishes have no material, but this reflects the vagaries of archival survival and weeding rather than the fact that letters were not written in the first place. Rich collections such as that for Kirkby Lonsdale (Cumbria) would once have been the norm.⁵⁴ In any case, the pre-1834 collection contains some 6,000 letters. The New Poor Law corpus covers the period from 1834 to roughly 1900, and it is augmented by the thousands of pages of post-1900 online newspapers. It again comprises the letters of the poor, their advocates, and officials across England and Wales. Some of this material was collected as part of an AHRC grant (‘In Their Own Write’) and subsequently coded and geocoded, under a second AHRC grant (‘Teaching the Voices of the Victorian

51 See <https://www.karenlogan.com/2019/11/workhouse-graffiti.html>.

52 Scott, *Domination*. For an excellent analysis of this canvas of resistance in operation see Green, ‘Pauper protests’, p. 159.

53 The literature on the individual systems is of course rich. For a review, see King, ‘Thinking and rethinking’.

54 Jones and King, *Navigating*.

Poor'), to underpin a searchable database.⁵⁵ Since that project concluded in 2021, however, we have significantly extended the data and included both more material from The National Archives and material from the local letter books of the poor law unions that administered the New Poor Law. The data is thus materially different to that already in the public domain. Extending to some 5 million words, the collection provides a unique window into the minutiae of the Victorian workhouse. While Carolyn Steedman warns about the complexities of reading 'voices' in material generated by administrative processes that embodied unequal and unknowable power relations, in our cumulative work we have been more convinced by the authenticity of the cases made in these documents and have argued that they were not simply a reflection of the process that generated them or of the writer's assessment of what a recipient might want to hear.⁵⁶

Second, we have assembled a set of broadly conceived examples of 'life-writing' including diaries, memoirs, memorials of places (e.g. *Banbury Remembered*), and autobiographies or autobiographical snippets. Some of these ego-documents were written by the poor or the once-poor, but the majority were authored by ratepayers, officials, and advocates, speaking clearly to the issue of how the poor were constructed in the eyes of local elites. The sample runs from the diary of John Skinner of Camerton (Gloucestershire, near Bath) in the very early 1800s to the epistolary autobiography of Stephen Reynolds relating to his time in Sidmouth (Devon) in the early 1900s.⁵⁷

Third, we analyse a broadly conceived 'administrative' dataset comprising 77 sets of vestry minutes,⁵⁸ the working diaries of officials or workhouse visitors, Old Poor Law workhouse minute books and accounts, and the Board of Guardians minute books for New Poor Law unions.⁵⁹ Collectively, these sources shed important light both on the strategies and attitudes of the powerful and on the small acts of resistance of the poor that did so much to

⁵⁵ See <https://www.victorianpoor.org/>.

⁵⁶ Steedman, 'Enforced narratives'.

⁵⁷ H. Coombs and P. Coombs, *The Journal of a Somerset Rector 1801–1834: John Skinner* (Oxford: Oxford University Press, 1971); S. Reynolds, *A Poor Man's House* (Oxford: Oxford University Press, 1982).

⁵⁸ Vestries were collective meetings of parish ratepayers and might take place to approve accounts, the appointment of officers, the sanctioning of building, etc. Some considered individual poor relief applications. Select vestries were appointed subgroups of the vestry and often met regularly to consider applications and determine local welfare policy.

⁵⁹ Guardians were elected by the parishes that constituted wider New Poor Law unions. They were supposed to meet regularly to consider policy, central correspondence, relief applications and staffing, though they did not always do so, especially in Wales. These meetings were generally open to the local press and were formally minuted.

irritate and constrain them. Fourth, the book uses broadly conceived ‘public’ documents including Acts, evidence collected by inquiries, official circulars, punishment books, and pamphlets dealing with workhouses and their processes and staffing.

And fifth, we have been active in collecting and analysing a suite of ‘other’ sources. These include newspaper reporting of individual cases and wider collective actions such as riots; insurance documents; plans; the staffing records of individual officers; material on the personal and familial histories of overseers, staff, advocates, and poor law guardians (which allows us to look for familial hierarchies of poor law officers and farmers of Old Poor Law workhouses); the letters and publications of serial advocates for the poor; novels; and familial letters. Since the material includes printed and transcribed text, it is difficult to count its extent in any easy terms, but it perhaps amounts to a collective 12 million words. Here, the stories of everyday pauper lives are at the core, but they are not ‘just stories’ in the pejorative sense of *only*, *merely*, or *simply*. Rather, we understand them as the testimonies of the English and Welsh poor. Their curators often intended to put the poor law and its officials and processes on trial.

Our methodological approach to these sources will become obvious across the book but it includes the quantitative analysis of punishments or word combinations over subsets of the corpus on the one hand, through to detailed micro-studies of individual cases, places, and iconic dates on the other. While no sample of records can aspire to comprehensive coverage of welfare regional-ity, community types, cultural heritages, key chronological events, or changes to poor law process, we have generated rich coverage of the different community types, language communities, and ‘regions’ in England and Wales. This is, then, a truly *national* sample. In thinking about how to write the book emerging from the analysis, we considered an organizing framework focused on our five categories of petty tyranny. Ultimately, however, the need to consider tyranny and resistance in the same frame and to implement the tripartite definition of petty tyranny developed above demanded a different structure. Our book is therefore organized around the practices, attitudes, and experiences of the five key groups that had the power to shape institutional life.

- (i) Officials/staff who worked in and around workhouse sites.
- (ii) Overseers and vestrymen under the Old Poor Law, and guardians under the New Poor Law.
- (iii) Broadly conceived supervisory and directional authorities: the Centre and its inspectorate for the New Poor Law, and magistrates or workhouse visitors under the Old Poor Law.
- (iv) The poor themselves, recognising that they could resist tyranny but also exercise it over workhouse staff and other inmates.

- (v) The public, both in the sense of amorphous ‘public opinion’ and in relation to particular members of the public who created, reported, or opposed petty tyranny.

Through these lenses we trace the range and operationalization of petty tyranny and some of the mechanisms by which notionally unbridled power was controlled and shaped by other forces over a turbulent century of poor law reform.

Against this backdrop there are several things that we do *not* do. We do not look at Scotland or Ireland, for instance. Both had different welfare systems to England and Wales until the 1840s, and even after that, the intent, meaning, and nature of institutional provision remained different. Both Scotland and Ireland are now receiving the attention they deserve, and in the sense that we are writing a comparative history, the more important imperative is to include Wales where it is currently missing.⁶⁰ We have also avoided extended discussion of the Gilbert and private act workhouses that (as we have seen) had a legal existence well into the New Poor Law period. This does not reflect a lack of sources. Some of the parishes that made up the Southwell and Mitford and Launditch unions under the Old Poor Law have surviving letters, and we collected union-level data for both places for the post-1834 period. Rather, our focus has deliberately been on the quantitatively and typologically more representative parishes and unions that remained outside the alternative act structure. Finally, while the very biggest urban workhouses have a determined place in our analysis, we have actively sought to analyse the sorts of places (Welsh rural areas, the unions of the far northwest or southwest, and rural counties such as Sussex and Hampshire) that figure lightly in the existing literature on workhouses and workhouse experiences.

Our book is organized into nine substantive chapters. In the first we come back to the complex question of how (and if) we ‘count’ petty tyranny and the alternative framing mechanisms that we explored in thinking about this book. Subsequently, we explore the broad conceptual and practical landscape of petty tyranny by way of context for the rest of the volume. Thus, we test the widely accepted view that Old Poor Law administrators were ineffective and incompetent at best, and brutal and venal at worst. Focusing particularly on tyranny by process, we argue that in fact those involved in the administration of institutional relief were often constrained by precedent and understandings of the ‘proper’ treatment of the poor. As the Old Poor Law passed over into the

60 See, for example, McGauran, ‘George Cornewall Lewis’; Curren and Mahmalat, ‘Interrogating the “Crisis-Reform” Hypothesis’; Crossman, *Poverty*; Purdue and Laragy, *Poverty*; and Harris, ‘Parsimony and Pauperism’.

New Poor Law, a parochial model of poor relief gave way to a wider union-of-parishes model, and the chapter further assesses continuity and change in the use (and misuse) of official power in the transition period between the two, with a focus on tyranny by process, person, and inaction. Drawing on pauper, advocate, and official letters, and on newspapers up to 1914, we show that the *potential* for petty tyranny was strong and its impact potentially more marked than was the case before 1834.

Chapter 2, 'Places and Spaces', provides more framing for the book and focuses on workhouse fabrics. We show that the outdoor poor knew of reports of petty tyranny and sought to avoid their own incarceration. This chapter explores for the Old Poor Law the range of workhouse-like institutions and the broad potential for petty tyranny in this complex ecology of fabrics. Our major focus, however, is the totemic physical and psychological extension of the workhouse project post-1834. The state peppered the English and Welsh landscape with these institutions, often set within their own grounds and having their own work rooms and stone-breaking yards within their own sites. They were literally inward-looking places – ones where it was intended (with their various rules, walls, and locked doors) that the pauper would be overawed. We examine the physical internal workhouse space as well as their grounds and ancillary buildings. Considering them in terms of the 'workhouse estate', we look at how the potential for petty tyranny might have been realized by local union officials in the complex fabric of this 'estate', and how the petty tyrannies practised there percolated the local communities of which workhouses were a part.

Chapter 3, 'Centre and Locality', explores the limits to petty tyranny written into law, process, and practice. Under the Old Poor Law, the ability of officials to wield power in institutional contexts was notionally constrained both by their moral obligation to the poor and by the threat of the magistrate.⁶¹ These constraints, we will argue, were very real and sometimes effective. For the post-1834 period we concentrate on correspondence, guidance, and visiting committees to investigate the relationship between the Central Authority and the multiple local authorities. The chapter suggests that while the potential for controlling tyranny through circulars, guidance, and required information keeping was considerable, central supervision and control was often structurally problematic, cursory, and uneven. Local autonomy continued, even though removing it was a dominant feature of the argument to have a Central Authority after 1834.

Chapter 4, 'Inspectorates', moves from official and semi-official constraints on the exercise of power, to the other potential controls and inspection

61 King, 'The summary courts'; King, 'Social inequality'.

mechanisms that influenced how institutional provision operated. For the Old Poor Law we investigate contractual and other formal and informal inspection and investigation mechanisms, and we argue that a system that nominally gave unlimited power to parishes and their officials in terms of relief decisions also, in its practical operation, limited the scope for that power to be wielded. This theme continues into the post-1834 period, where we focus on the question of how workhouses were supervised, examined, and policed by the permanent central inspectorate. The chapter asks a series of questions. Did the inspectorate see ‘protecting’ the poor from tyranny by neglect and inaction as an important part of its work? If it did, how was it to do this? And what effect did it have in identifying, punishing, and discouraging the operation of petty tyranny? The chapter also turns to the issue of post-1834 advocacy, suggesting that prominent ‘amateur inspectors’ and others acted as a type of shadow body emerging and gaining strength precisely because of the actuality of petty tyranny that was unconstrained by the Centre.

In chapter 5, ‘Division and Animosity’, we explore the role for internal conflicts in the structures of parochial or union authority and power to enhance or flatten the potential for petty tyranny. For the Old Poor Law we classify three types of local animosity – resulting from contract, personal conflicts, and differences of sentiment – concluding that vestries and parishes were often so attitudinally fractured that the practice of tyranny in the parochial world was often localized and particular.⁶² In the post-1834 period we explore the operation of the Board of Guardians, seeking to test the idea that such boards were single unified entities with joint values and goals. We find substantial disagreement between guardians over issues such as the treatment of the poor in the workhouses and over their tolerance of abuse, petty tyranny, and bad behaviour.

Chapter 6, ‘Staffing’, moves to the related topic of workhouse staffing.⁶³ Focusing on tyranny by process, person, and conflict, it asks three interlinked (but rarely linked in the literature) questions.

- Who staffed Old Poor Law workhouses; how were they managed; and what systemic versus local, particular, and personality-driven petty tyrannies can we uncover?
- Where did the New Poor Law in its first fifteen or so years get its staff from?
- What controls were notionally and practically applied to the behaviours of the changing and growing body of staffing by the Centre?

⁶² This is also a familiar theme for an earlier period. See French, “‘Ingenious & learned gentlemen’”; and French, *The Middle Sort*.

⁶³ For wider context on staffing see Crowther, *The Workhouse*, chapters 5–7.

We will see that the recycling of staff between workhouses and other institutions, both at 'normal' times and when there had been accusations of and convictions for abuse, introduced a latent bias towards petty tyranny that was only episodically confronted by the Centre.

Chapter 7, 'Punishment', concentrates on tyranny by process, person, and conflict, and it examines the punishment procedures and experiences within Old Poor Law workhouses, comparing them for the first time with the post-1834 situation. We will highlight a significant level of continuity between the two systems in what was punished and how. The core of the chapter focuses on accusations of tyranny and oppression in the face of punishment regimes under the New Poor Law, and here we show that officials were (like their Old Poor Law counterparts) often highly selective in which workhouse groups were formally and informally punished.⁶⁴

Chapter 8, 'Responses of the Tyrannized Poor', is the first of two chapters that investigate resistance to tyranny. It is easy to assume that the poor, and particularly poor workhouse residents, were hard pressed to avoid and resist petty tyranny. In this chapter we take a mixed and nuanced counterview. Linking the Old and New Poor Laws for the very first time, we suggest that paupers argued, complained, physically fought back, and deployed numerous small acts of resistance to perceived instances of petty tyranny.

Chapter 9, 'Public Opinion', continues this outward journey, tracing how competing narratives of tyranny in workhouses under the Old and New Poor Laws developed in the public arenas of newspapers, journals, and meetings/lectures, and how they intersected with wider conceptualizations of tyranny in public opinion. We highlight the particular importance of the small everyday confrontations between parochial and union administration and a local and regional public. For the first time we trace how that 'public' influenced official attitudes towards the five types of tyranny that we have identified, within the welfare process across England and Wales and the whole of our period.

⁶⁴ This develops the argument first noted in Carter *et al.*, 'Punishing Paupers?'

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The Continuities of Tyranny

We have suggested that ‘petty tyranny’ must be understood as a tripartite confection. Firstly, of often small, everyday acts, omissions, punishments, and neglects that at the more sustained, routinized, and extreme end can be read as ‘abuse’ or ‘cruelty’. Such practice and experience might be particularly associated with the character of specific individuals who administered the poor laws or ran their institutions, and it was often within the confines of the law or broadly defined normative processes. Second, of allegations and experiences of systemic (and sometimes temporally sustained) petty actions in particular places. And third, of broader system-level rules, regulations, protocols, guidance, and laws that encoded power imbalances and facilitated those (parish officials, union officers, guardians, and national officials) willing to take part in behaviours that paupers would understand as tyrannical and that created a ‘feeling’ of subjection.

Within this context we identify five categories of everyday petty tyranny – ones that transcend the normative chronological boundaries of the Old and New Poor Laws – and we argue that among the poor and pauper populations, the potential for petty tyranny was well understood and even part of their internalized expectations. In this sense, the task for the wider book is to understand

- how far the potential for tyrannical practice was realized;
- some of the constraints that hedged in the actions of ratepayers and officials; and
- the factors that might shape how petty tyranny manifested in different constellations according to time, place, or the character of local officials.

To take up a theme from the book’s preface, we do *not* argue that all paupers or prospective paupers experienced tyranny all of the time. There was (as we will see below) humane and moral treatment within the workhouse system, and many vestries and Boards of Guardians were fundamentally split when it came to facilitating petty tyranny. Rather, we argue that paupers and their

advocates had a keen appreciation – perhaps even an expectation – of the potential for petty tyranny to be exercised, and they could not predict where and when potential would turn to reality.

These observations raise two issues. First, how (and whether) to ‘measure’ the incidence and intensity of tyranny over time or space. This is a complicated matter given that it manifests in actions, rhetoric, processes, and feelings. Thus, searching for phrases such as ‘tyrannical workhouse’ or ‘tyranny in the workhouse’ returns just over 100 entries across the New Poor Law period in British Library Newspapers Online: 62 times between 1834 and 1883; 39 times between 1884 and 1914. The phrase ‘cruelty in workhouses’ occurs, respectively, only 43 and 4 times in the same chronology. We chose a sampling cut-off in the early 1880s to try and capture changing interpretations of the ‘fault’ for poverty, as poverty lines and social investigations gained traction, hypothesising that a shift away from models of causation rooted in the moral record and worth of the individual might have increased public and pauper dissatisfaction with workhouse regimes.¹ Yet, while both tyranny and cruelty are used less often after 1880, this observation is heavily diluted once we control for uneven periodization in our analysis. By contrast, searching for the phrase ‘workhouse scandal’ generates 742 and 3,382 hits, respectively. The meaning of these figures is complex. Some of the underlying articles certainly capture petty tyranny as we have defined it, but many others focused on financial crises, fraudulent accounting practices, and romantic staff liaisons, as well as ‘scandals’ in the sense of obviously illegal treatments of indoor and outdoor paupers. Drawing the net more widely, ‘workhouse’ and ‘tyranny’ capture more than 50,000 hits, with an unknown number being relevant to our definition and a similarly unknown number having no relevance at all. An alternative route is to count the number of letters sent to officials by paupers and their advocates. Doing so involves the erroneous assumption that all pauper and advocate letters or (under the New Poor Law) witness statements were concerned with petty tyranny, but we undertook the exercise in any case, with figure 1.1 showing our results.

The uplift in pauper and other letters from the early New Poor Law period reflects, in part (but not wholly), a more comprehensive system of data seeking and record keeping by the central state, rather than a ‘real’ increase in the number of complaints compared with the Old Poor Law. We revisit this issue below. It is also, of course, possible to trace the number of incidents of petty tyranny identified in life writing and other elements of the source base used here.

1 Gillie, ‘Identifying the Poor’; Gillie, ‘The Origin’; Hennock, ‘The Measurement’; Levine-Clarke, *Unemployment*.

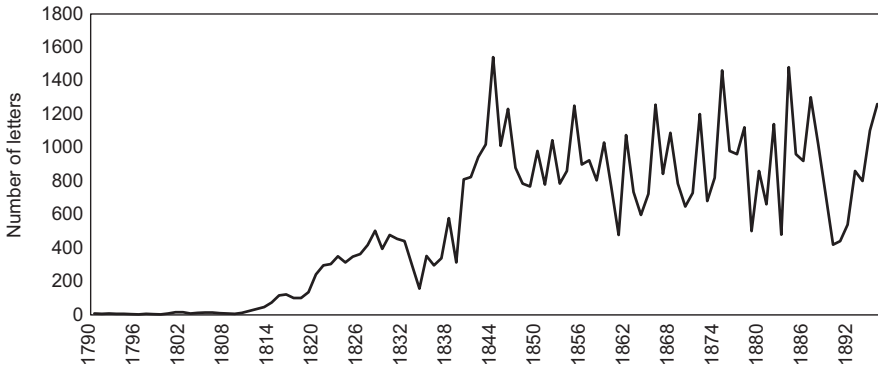


Figure 1.1. Numbers of pauper, advocate, and other letters by year.

The wider issue, however, is whether a counting exercise *is* useful at all. How, for instance, would we calculate the number of individuals tyrannized by viewing or otherwise being aware of a tyrannical act in the workhouse, such as the entirely legal beating of a male child with a birch rod? How would we count the number of people who feared tyranny and expected it as these sorts of stories percolated in the wider poor communities from which the victims were drawn? And how might we extrapolate from the examples we have to account for the fact that the fragile and episodic control mechanisms we outline in subsequent chapters of this book certainly played out across the entirety of England and Wales, magnifying the weight of our tangible evidence by an unknown and unknowable factor? More widely, if, as we have argued, petty tyranny was more than a set of practices and also amounted to a feeling or expectation, how does one ‘count’ such things? Ultimately, we return to the logic of our definition of petty tyranny: that the potential was always there and that it episodically (or sometimes more determinedly) ‘broke through’ to real practice and experience.

Against this backdrop, a second issue is how we can explain these breakthroughs. It might seem reasonable to suppose that some of the big trends, processes, or events of this period would have causative effect.² In practice, however, the picture is both mixed and contradictory. Figure 1.1 suggests (and this is an issue to which we return below) that the advent of the New Poor Law created an increase in complaints about petty tyranny. Other sources, including newspapers and life-writing, confirm this to be so. This observation is perhaps unsurprising given the very visible multiplication of workhouses traced in chapter 2 and the recent research by David Green and others showing that the removal of family allowances in rural areas during the early years of

² We thank one of the anonymous referees of this manuscript for pushing us to engage with the importance or otherwise of these big trends for our explanatory framework.

the New Poor Law carried a substantial mortality penalty for young children aged 1–4 – a penalty sufficient to reduce life expectancy at birth for the entire population of England and Wales.³ Generally, we develop the argument that the potential for petty tyranny was more often realized across the entirety of the New Poor Law than was the case for its predecessor. Even so, other major organizational changes in the poor law system (the select vestry acts of the 1810s; the advent of the PLB; the formation of the LGB; development of large-scale cottage homes) have almost no imprint in the data.

Alternative potential causative mechanisms for the realization of petty tyranny might be the changing scale of pauperism (more spending and more claimants driving more tyranny), the incidence of workhouse overcrowding or low staff-to-inmate ratios (both of which might put pressure on officers to cut corners), and changes in the system-wide sentiment of relief practice. Given that we are interested primarily in the workhouse context, aggregate trends in overall pauper numbers hold little explanatory value. The issue of overcrowding appears episodically in the case studies that drive our chapters, but the evidence is contradictory. Under the New Poor Law, consistently overcrowded workhouses such as Birmingham (Warwickshire) generate (in terms of letters and newspaper articles) numerous cases of petty tyranny, but possibly the most overcrowded workhouse network in England or Wales – that for Manchester in Lancashire – generates hardly any. This was also true for the Old Poor Law. In turn, the very stretched pauper-to-staff ratios of the Great Yarmouth (Norfolk) workhouse coincide with some interesting and sustained cases of petty tyranny, but in numerical terms they pale into insignificance compared with Basford Union workhouse (Nottinghamshire), where staffing was consistently much better. Under the Old Poor Law, the persistently understaffed Wighton workhouse (Norfolk) generates many fewer accounts of petty tyranny than the well-staffed Kirkby Lonsdale workhouse (Westmorland). As we will see across several of our chapters, what mattered was less the number of staff and more who those staff were, i.e. their characters.

Nor do changes in the system-wide sentiment of relief practice have the consistent effects we might expect. The shifts from outdoor to indoor relief mandated by the New Poor Law are always overstated, but they clearly did have an effect on real practice and on the willingness of paupers and advocates to construct tyranny in a rhetorical sense, as we have seen above. The removal of residual family allowance systems in the 1830s may well have had the same effect, over and above the impact on mortality noted above.⁴ But the crusade against outdoor relief of the 1870s and 1880s has almost no imprint in our

³ Green *et al.*, 'The New Poor Law', p. 32.

⁴ Blaug, 'The Myth'; Blaug, 'The poor law report'; Sokoll, 'Families', pp. 73–101.

evidence. This is perhaps not as surprising as it first appears given Elizabeth Hurren's detailed construction of the seven very distinct changes to the forms that relief took and the eligibility for receiving it that were wrapped up in the label 'crusade' and that were available on a pick-and-mix basis.⁵ Still, even in the crusading unions for which we have data, there is no evidence of an association between crusading and the scale of complaints about tyranny.

Other 'obvious' factors that might explain the episodic breakthroughs we capture in this book are also problematic. Under the New Poor Law, large urban unions and workhouses tend to generate more complaints than small rural ones, but the distinction recedes once we understand the turnover differences in pauper populations between the two types of places. There were also striking differences between 'urban' locations with notionally similar pauper profiles and exposure to the non-settled poor: some cities – Liverpool (Lancashire), Birmingham, Bradford, Sheffield (the latter two in Yorkshire, West Riding) – seem to generate a steady stream of accusations and complaints, whereas others – Cardiff (Glamorganshire), Leeds (Yorkshire, West Riding), Nottingham (Nottinghamshire), Preston (Lancashire), Huddersfield (Yorkshire, West Riding) – do not. The London workhouses that we investigate in succeeding chapters generate copious examples of petty tyranny, but in almost all cases the evidence disproportionately reflects the activities of a determined subset of grumbling paupers keen to put the New Poor Law on trial.⁶ For the Old Poor Law, the market towns of Tetbury (Gloucestershire) and Beverely (Yorkshire, East Riding) have much more evidence of petty tyranny than Manchester, Liverpool and Preston combined. These irregularities could reflect differential source survival, but it is also clear that publicized 'scandals' do not pattern easily onto flat urban–rural distinctions either. In turn, while the degree to which one can identify regional patterns to welfare practice under either the Old Poor Law or the New Poor Law – as opposed to endless local microvariation – is an ongoing debate, we find no systematic spatial patterns in our data on tyranny itself. It is not the case, for instance, that unions comprising parishes that withdrew family allowances under the early New Poor Law generated disproportionate numbers of complaints about petty tyranny. Changing societal sentiment towards paupers and their relief might (insofar as it can be measured) have more explanatory purchase. Thus, there are good technical and process reasons for the uptick in both pauper letters and the reporting of tyrannical practice in the 1810s and 1820s, but such spikes might also capture wider hostility to the poor in the final decades of the Old Poor Law.

⁵ Hurren, 'Belonging'.

⁶ Jones, 'Looking through'.

On the other hand, and as we have already seen, there is little evidence that the emergence of concepts of honest poverty and poverty lines from the 1880s generated a more favourable and supportive regime for workhouse inmates. Finally, while there is a compelling logic to assuming that periods of regionalized or national economic distress would exacerbate a latent tendency to institutional tyranny, neither figure 1.1 nor our wider data signal such upticks at times of severe economic pressure such as the cotton famine, the late 1840s, the Great Depression, or the recessions of the early 1810s.

Cutting through these contradictory indicators, it is important to understand that our purpose is *not* to provide a generalist history of the Old and New Poor Laws, changing constellations of local practice, or pauper experiences of welfare. Rather, we are interested in workhouse regimes, the ingrained potential for petty tyranny, and the ways that such potential was constrained, resisted, and realized. In relation to the latter, the chapters that follow step away from the big causative forces outlined above. Rather, we contend that the realization of petty tyranny in the everyday lives of paupers was a function of the micro-operation of the poor laws, Old and New, including

- the presence and circulation of officials with the character flaws needed to exercise tyranny;
- the shifting politics of the individual vestry and Board of Guardians;
- the presence of inflammatory ‘grumbling’ paupers;
- administrative probity and otherwise;
- the presence or absence of particularly problematic groups in the workhouse population, notably the disabled, children, the sick, teenagers, or the ‘mad’ poor;
- personal tensions between officers;
- the sickness of officers;
- poor localized information and systems of control; and
- rapid shifts in local policy in response to ratepayer imperatives.

To understand the potential for petty tyranny and its realization – to locate and explain the operation of our tripartite model – we must look deeply inwards to the micro-DNA of the poor laws.

To start that process, in this chapter we explore how *far* (at the broadest level) the potential for tyranny under the two systems might have been realized. Focusing particularly on *tyranny by process* (though acknowledging this is also often indivisible from tyranny by person), we argue that under the Old Poor Law those involved in the administration of institutional relief were constrained by precedent and understandings of the ‘proper’ treatment of the poor. The sort of autonomy ascribed to the parish by Peter Dunkley and

others recedes in this reading of the evidence.⁷ The chapter further assesses continuity and change in the potential for the use and misuse of official power in the transition period between the two systems. Drawing on pauper, advocate, and official letters from the mid-1830s onwards, and again using the lens of ‘process’, we show that the potential for tyranny was more often realized after 1834. Paupers tyrannized under the Old Poor Law had moral arguments against their treatment, and they used them. By the time the New Poor Law began to mature, this was less the case. From its inception, the Central Authority largely abdicated from any role in arbitrating on individual pauper cases.⁸ The poor took a generation to learn that lesson, but officials did not, and in the later stages of this chapter we focus on the nature of relief applications to discover and categorize an ecology of petty tyranny through which actual or prospective paupers and their families were afforded symbolic and practical reminders of dependence and the ‘feeling’ of the illegitimate use of power.

AN OLD POOR LAW LANDSCAPE

On the face of it there was much potential for petty tyranny under the Old Poor Law. This was a discretionary system of welfare under which parochial officials and vestrymen (or other forms of officer appointed as part of private incorporations)⁹ heard or read the cases made by the poor and their advocates and, in effect, defined who was deserving and who was not. In this context, negative sentiment towards the poor could easily feed into all the forms of petty tyranny outlined in the book’s preface. Indeed, Sidney and Beatrice Webb concluded that the Old Poor Law had realized the ‘relief of destitution within a framework of repression’.¹⁰ That potential could easily break through to reality for *both* the indoor and outdoor poor is plainly evidenced when such treatment magnified up into riots or scandals. On 23 November 1832, for instance, the *Morning Post* reported that ‘three young women’ from the Rotherhithe workhouse (Surrey) had ‘been charged with being riotous and creating a disturbance’. At one level, such events are unsurprising. It is well known that teenage girls and young women were a thorn in the side of workhouse authorities across the country.¹¹ However, when they were examined, the women claimed that they had been

7 Dunkley, *The Crisis*, pp. 4, 32.

8 Carter and King, “I think”.

9 David Green notes that there were 196 unions or private incorporations granted between 1674 and 1833: Green, *Pauper Capital*, p. 10. Also Rawson, ‘Poor relief’.

10 Webb and Webb, *English Poor Law History, Part II*, p. 8.

11 Green, ‘Pauper protests’.

selected for prosecution only because they were a little more disruptive than others in a wider body of rioters. More than this, they asserted that their actions were justified because of 'a young female being most cruelly used' by officials. She had committed a 'trifling' misdemeanour and as a punishment (all of which was legal at this point) had seen her head shaved and 'her person strapped into a straitjacket' such that 'her cries and lamentations were heart-rending, and caused such a sensation amongst the other inmates that one and all could not help giving expression to their feelings by abusing the authors of the poor girl's miseries'.¹² In short, justifiable punishment had been substituted for tyranny by process, person, and conflict.

The sense that such events were *merely* a subset of wider experiences that in turn are hard to detect can be gained from reporting of disruption short of riot in Old Poor Law workhouses (a subject visited at length in chapter 8). Meanwhile, intensive engagement with the parochial and pamphlet archives also reveals something of the shape of the wider issue. Thus, petty tyranny leaves its footprint in some of the non-renewal of contracts for officers and suppliers, the admonition of doctors and parochial officeholders, instances where parish figures were threatened with being brought before the magistrates, and also in more direct ways. In 1830, for instance, the vestry minutes for the parish of Fawley (Hampshire) recorded the fact that Mr Fry, the assistant overseer, had been run out of town by '50 or 60 persons' who were unhappy with his petty rule-making and harsh decisions.¹³ Some pamphleteers also extended the debate, arguing that because ratepayers themselves exercised tyranny over subordinate officers, the poor were bound to suffer tyranny by neglect. When the surgeon J. F. Hulbert published an attack on the system of contracting doctors to parishes for medical care of the poor,¹⁴ he repeatedly asserted that the terms wrung out of doctors were 'cruel towards the sick' and that 'the evil resulting therefrom has obtained so formidable a magnitude' as to be regarded as 'tyranny'. Hulbert suggested that the making of contracts was overseen by officials who looked at any innovation in practice 'with jealousy and distrust' such that the terms offered to doctors were 'flagrantly subversive of the interests of the poor' and 'pregnant with greater evils to the poor than to either of the contracting parties'.¹⁵

12 'Union Hall', *Morning Post*, 23 November 1832.

13 HRO, 25M60, Fawley Parish Papers.

14 Williams, 'Practitioners' Income'.

15 J. F. Hulbert, *Farming the Sick Poor: Observations on the Necessity of Establishing a Different System of Affording Medical Relief to the Sick Poor than by the Practice of Contracting with Medical Men or the Farming of Parishes* (Shrewsbury: Privately Published, 1827), pp. iv–v, viii, 5–6, 8, 10.

How far direct and indirect instances like these testify to the potential for systemic abuse of power through petty tyranny under the wider Old Poor Law is uncertain. Robert Sharp of South Cave (Yorkshire, East Riding) certainly felt that ratepayers abused their power, conceptualizing the poor as inherently dishonest and little better than 'creatures'. In June 1826 he reported on a vestry meeting where 'the chief consideration ... was, to make the Paupers live on the least possible allowance, I have to communicate the results on Monday morning when the poor are paid which is not a very agreeable task'.¹⁶ Some paupers and their advocates also felt that tyranny was a byword for attitudes to both institutional *and* outdoor relief. Thus, Carns Wilson of Preston wrote to Kirkby Lonsdale (Westmorland) on 22 February 1823 to raise the case of a sick widow with young children who had been 'left in filth & vermin'. The Preston overseers 'offered to take the Children into the Workhouse where they would cost 2/ a week each. They agreed however that if they could be boarded for the same money, near the Mother, so as far to see them when able it would be better.' In contrast to this Christian and benevolent attitude, Carns took the overseers of Kirkby Lonsdale to task, arguing that:

I wish I could feel satisfied that you were as free from blame in this sad case as you represent: but I candidly confess that I am presented by the many concurring testimonies in this place. ... She [the mother] assured me yesterday that she had sent repeated Messages to you since her illness by the Carrier, besides what the Dispensary Surgeon mentioned: & at all events it might have been taken I think for granted that where the husband was in prison, the wife & 2 children could not be expected to live on 3/ a week. Overseers I am aware are often grossly imposed upon; but that will not excuse such neglect as in the present instance that has been attended with such wretched consequences.¹⁷

Here, then, not answering, not caring, and not anticipating were all understood as petty tyranny (by process, person, inactivity, and neglect) by this articulate advocate. Many early historians of the Old Poor Law agreed on both the evils of the Old Poor Law system and the low, often tyrannical, quality of its officials, including workhouse staff and especially farmers of the poor. They were ineffective and incompetent at best, and brutal and venal at worst.¹⁸ Such early writers picked up on an extensive contemporary pamphlet

16 J. Crowther and P. Crowther, *The Diary of Robert Sharp of South Cave: Life in a Yorkshire Village, 1812–1837* (Oxford: Oxford University Press, 1997), pp. 38, 51, 60.

17 CROK, WPR19-7-6-16-11, Letter.

18 Webb and Webb, *English Poor Law History, Part 1*, pp. 158–63, 408–10; Webb and Webb, *The Parish*, p. 593. Also Taylor, 'The unreformed workhouse', p. 57.

literature that was also deeply critical of the corrupt practices of officials and their neglect of the poor.¹⁹

Yet there is also contrary evidence. Alannah Tomkins, for instance, found both that some inmates of Old Poor Law workhouses had and rhetoricized positive experiences of the institution, and that they encountered frequent acts of support and kindness.²⁰ Steven King has observed similar things in relation to the sick poor who were resident or treated in institutions, making the wider point that parochial officials often went to considerable and expensive lengths to support or treat the sick and disabled poor.²¹ Thus, the same overseers that were taken to task for neglect and tyranny by Carns Wilson of Preston in 1823 were thanked by James Parkinson in 1820 for their attentive and prompt support to Edward Moor, who ‘returns you many thanks for your kindness to him’.²² Such observations meld neatly into a wider historiographical trend that has tensioned the capacity for abuse in the institutions that served or contained the poor, with observations of what we might understand as human capital formation for significant numbers of inmates when judged over the longer term.²³ If we also accept that the general public had a long-established suspicion of welfare vehicles such as the deterrent workhouse, it is clear that understanding the intent and meaning of welfare practice is complex.²⁴ In the first instance, then, this chapter asks how we reconcile these opposing views of the potential for tyranny in its different forms under the Old Poor Law, something that we do through the lens of ‘tyranny by process’.

A PARTICULAR FORM OF TYRANNY?

While tyranny by process has many potential signals – everything from elongating applications by failing to hold a vestry, through to using the threat of workhouse residence as an inducement not to apply for relief – one of the most

19 See, for example, T. Batty, *A Disclosure of Parochial Abuse, Artifice, & Peculation, in the Town of Manchester; which have been the Means of burthening the inhabitants with the present enormous parish rates: with other existing impositions of office, in a variety of facts, exhibiting the cruel and inhuman conduct of the hiring officers of the town, towards the poor* (Manchester: J. Thomson, 1796). For the particular role of religious men in this context see Shave, ‘Who cares?’.

20 Tomkins, ‘Poor Law Institutions’. Also Walsh, ‘Poor law administration’, p. 53, who argues that Shropshire parishes were often efficient and even humanitarian.

21 King, *Sickness*. See also Green *et al.*, ‘The New Poor Law’, pp. 8–9.

22 CROK, WPR19-7-6-13-39, Letter, 8 December 1820.

23 See, for example, Webber, ‘Honest and Useful?’, Honeyman, ‘Compulsion, Compassion’.

24 Jones and King, *Pauper Voices*, *passim*.

obvious under the Old Poor Law was the threat of removal under the settlement laws of the 1660s. Broadly, these laws had established a 'place' of belonging in welfare terms for all English and Welsh parish residents. That place of belonging could be changed under certain conditions, but crudely the threat of removal to a settlement parish hung in the air as a prospect for all (and an increasing number of) people who were living outside a place of legal settlement at the time they fell into poverty and potential dependence upon 'their' parish.²⁵ The single most frequent sentiment expressed in our pauper letter corpus for the Old Poor Law is a desire not to have to return 'home'. Paupers, claimants, and advocates suggested that those forced to return to settlement parishes would be ripped out of credit, employment, neighbourhood, and religious networks, creating lasting damage to their ability to be independent in the future, worsening their health, and threatening their emotional wellbeing. The threat of removal was thus an act of systematic tyranny by process, often made worse by the associated requirement that the person return 'home' to the workhouse. Those who knew or suspected this would be their fate employed a linguistic register that varied on a spectrum between gloomy resignation and active fear. Thus James Smith, writing from Woolwich (Kent) on 21 March 1833, noted that he was ill and did not have enough work to sustain his wife and six children. Appealing to his settlement parish for help with rent arrears, he told the overseer: '[I] dont want to Come [home] for I know the Workhouse will be my Portion for I am not able to work in the fields.' For Smith, a man beset by persistent rheumatism that made him unable to do heavy or sustained agricultural work, the workhouse of Aveley parish (Essex) loomed large in his thoughts.²⁶ It may have done so even more for those falling down the social scale, as with Thomas Buck, who wrote to the overseer of St Clement Danes (Middlesex) in November 1835. A government messenger for 33 years, he had become ill and lost his job aged 68. He had not received 'superannuation as there was no precedent for doing so in my rank, none of my predecessors having lived to require it'. With his savings gone, Buck now asked for the 'merciful consideration' of the parish in the form of 'some small assistance ... to save us from ending our days in the Workhouse'. Seventeen respectable members of the community appended their names, testimony to his belonging but also to the sense that to force a man such as this into the workhouse for the want of a small parish allowance would be an act of unthinking petty tyranny.²⁷

25 There is considerable debate on the exact trigger point for settlement examinations and removal. See Boulton, 'Double Deterrence'.

26 T. Sokoll, *Essex Pauper Letters, 1731–1837* (Oxford: Oxford University Press, 2001), pp. 96–7.

27 LA, B1344-27, St Clement Danes, Letter, 4 November 1835.

Other writers and advocates were more direct in constructing the dual threat of the workhouse and being sent home as tyranny by process. On 21 July 1834 the overseers of St Clement Danes received a letter containing an enclosure. That enclosure was a further letter from Francis Harris, a shoemaker living in Tiverton (Devon), dated 30 June 1834. Harris had written an earlier letter asking for relief due to illness and ‘I received in answer that if I could not support my family here I was to come there’. In his new letter – one written just weeks before the New Poor Law was to receive Royal Assent – Harris argued: ‘now Sir if that was to be the case it would be the means of throwing a lasting burden upon them for it is not likely Sir that a man in my situation with Six helpless children to support often parting with what things I have got would be able very soon to replace them again’. To be brought ‘home’ would, in other words, be a disaster for himself, his family, and the parish. Perhaps more significant is the covering letter that accompanied this text, from Joseph Kennedy. Writing from the House of Commons on 21 July 1834, Kennedy

begs earnestly to impress on the Overseers of St. Clements the justice & good policy of attending to the letter sent herewith. Mr. Kennedy believes the writer to be a most industrious man but it is impossible under his circumstances to do without the Relief which was promised him & has been so unjustly withheld – If it continue to be withheld he must of necessity come with his family to the Workhouse – a calamity which Mr. Kennedy thinks greatly to be deplored & which was his objection, in its tendency to the Poor Law Amendment Bill.²⁸

Read in the way they were meant, such words pointed to neglect, abuse of process, and personal tyranny on the part of officials ill-suited to their public role. More generally, the sense that explicit or implicit pressure for people to uproot themselves and return to their settlement parish (whatever residential arrangements awaited them) was meant and experienced as tyranny by process is well summed up in the example of Betty Longhall, writing from Preston to Kirkby Lonsdale in 1819. She ‘take the liberty of Writing this to you’ in order to request ‘keep’ because of a sick daughter, her clothes having been pawned, and substantial rent arrears. Faced with eviction and all of her goods being sold to contribute to the debts, Longhall threatened ‘to go to this Ovesear of this town and get Realeaf and then the May Remove us for I Cannot bear to see My Children punished as the have been’. The elision of personal and procedural neglect with punishment is a clear construction of tyranny by process, even if Longhall did not use the words. Her bold rhetoric was not to pay off.

28 LA, B1344-22, St Clement Danes, Letter, 21 July 1834.

Appended to the bottom of the letter by the overseer is a short and to-the-point sentence: 'Not Granted if she cannot do she may come to the Workhouse.'²⁹

There is plenty of evidence that these rhetorical constructions reflected real fears (as we see with Longhall) and that those fears mapped onto sometimes-breathtaking examples of abusive process in the 15,000+ parishes that were collectively the heartbeat of the Old Poor Law. Letters, vestry minutes, and other sources provide support for older historiographical observations that, *inter alia*,

- unmarried pregnant women could be encouraged or forced to move between parishes as a way of shifting the financial burden of illegitimate children;
- overseers could deliberately fail to respond to pauper correspondence in the hope that applicants might just 'make do';
- officials often paid applicants less than they asked for as a way of forcing some of the burden of need onto families, neighbours, and other forms of charity; and
- parishes formed, founded, and enforced residence in workhouses as a way of dissuading applications and disciplining the poor.

In terms of the latter tyranny, for instance, John Burrill (Churchwarden of St Giles without Cripplegate, London) signed a note from himself and the two overseers of the London host parish (1 May 1784) to Royston (Hertfordshire) in which they noted that Sarah Gayler's son had an incurable 'Scorbutic disorder' the only relief for which was salt water. Unfortunately, his condition was 'nearly in the last stage' and the officials added almost mournfully that 'the Boy has been in the Hospital Eleven weeks & finds no relief'. Sarah Gayler herself annotated the bottom of the letter, telling her settlement parish that she needed intervention urgently because 'I must meat the commity [that is, the vestry of St Giles without Cripplegate] in the afternoon'. Royston was not to be moved by the suffering described. Henry Watson, the overseer, wrote to Gayler (in a further annotation of the original letter) on 4 May 1784 to say that no allowance would be made 'as they [the Royston vestry] have fited up a Decent Workhouse for the reception of the poor'.³⁰ It is thus easy to read tyranny by process as a systemic characteristic of the entire Old Poor Law.

Yet, while these sorts of stories are colourful, we must also be careful in their contextualization. Thus, it is striking that almost none of the people threatened with removal in our sources were *actually* removed. Of course,

²⁹ CROK, WPR19-7-6-12-17, Letter, 21 July 1819.

³⁰ HERO, D/P/87/18/2, Royston Miscellaneous Correspondence 1769–93.

perception of risk and the *potential* for abuse can be as powerful as practice in shaping mentalities, and there is no doubt that paupers found themselves pawns in a wider game in which host parishes used the theoretical prospect of removal as a spur for settlement parishes to pay up or to pay more allowance. We see this in select vestry minutes such as those of Clitheroe (Lancashire), where a meeting of 27 November 1828 ‘Ordered; that ellen hallgate bastard chioild be one shilling and eight pence per week instead of one shilling on account of the threat from the overseer of bolton to remove the child to clitheroe’.³¹ Yet such logic could be turned on its head as paupers reversed the tyranny-by-process relationship, actively offering to return home to a workhouse knowing that the costs to home parishes would be considerable. John Davis did exactly this, writing from Blandford St Mary (Wiltshire) to Winchester (Hampshire) and explaining that if he did not get relief:

you may Expect to See Me at Winchester in the Course of a fortnight or 3 Weeks With my family as I am Determined to abide Coopt up in a Singel Room as the family is at present for My Wife Says that She would Rather Be Situated in the Corner of a Workhouse than Be So Confined therefore if you Should think it So proper as to Grant my Request I think it may Be the Means of Saving you a Great Deal of Expence and trouble Wich I Really Should Be Very Sorry to Give you.³²

Davis was ultimately successful, for reasons that we can see in the draft agreement for the farming of the Market Harborough (Leicestershire) workhouse in 1793. It said: ‘Workhouse Master to continue the weekly payments to such residents out of town that belong to this parish unless it should appear to the parish officers reasonable to bring home the pauper to reduce the same to any less sum.’ We know from the pauper letters of Market Harborough that they never considered it financially reasonable.³³ We thus see something of the constraints on the potential for tyranny by process under the Old Poor Law.

Other paupers and poor people actively used and rhetorically constructed the workhouse as a resource rather than an inevitable site of tyranny. In December 1815, for instance, the widow Elizabeth Louther visited the Hull workhouse (Yorkshire, East Riding), and asked the master Richard Ellis to write a letter requesting that her settlement parish ‘would have the goodness to allow her two Shillings per week [and] she will try to struggle on’. The sense

31 LRO, DDX 28/257, The Langshaw Collection: Clitheroe Select Vestry Minute Book.

32 HRO, 88M81W-PO7-4-1, Letter, 16 September 1822.

33 Market Harborough Parish Chest, Agreement between the overseers of poor and Jos. Tilley (1793) and associated ‘Regulations for workhouse master’, 1794.

that the workhouse was a resource is striking, as is the (entirely voluntary) opinion of Ellis that 'this is a very Honest Industrious poor woman and I am inform by a very respectable Lady a proper object for Parochial Relief'.³⁴ John Hennis similarly reversed an easy imagery of tyranny. Writing to the governor of the workhouse of St Clement Danes in 1814, he apologized that he had been 'very poorly for some days back I fear you cannot read this Scrawl'. The scrawl in this case was a letter thanking the governor and ratepayers for 'their humane goodness to the little infant girl Mary Goold my grandawter, in receiving her at a time that she strayed from me at a time that my tenderest care was directed to her'. Hennis having admonished his granddaughter 'and put her out In the lobby telling her that Bougey would come there to her it might be about six oclock in the Evening', she disappeared from the house. Suspecting her kidnap and worse – 'desperate fires often proceed from a little beginning' – Hennis roused the neighbourhood but 'never once supposed she might be in ye Workhouse'. On visiting the workhouse to raise further help, 'the Porter Informed me she was In the house the happiness it gave me will ever keep my gratitude [remembered]'. Hence, 'the motive of this Letter is to Say that I will be much obliged to the gentlemen to give an order for her to come out on Sunday next and I trust in Providence – that she will never trouble them a gain – and I will Impress on her mind the gratitude she is bound to return to the Workhouse of St. Clement Deans'. Given that the whole neighbourhood had been involved in the search, it seems clear that the nature and role of the workhouse and its staff and residents in the locality might be more ambiguous than a first reading of cases of tyranny by process might suggest.³⁵

Our material also reveals a seam of powerful moral argument against tyranny. This is well exemplified in the case of Sophia Cuss, who was the subject of six letters written (in the first person) by her daughter and one by her landlady from Chelsea (Middlesex) to Cricklade (Wiltshire) between May 1832 and March 1833. Cuss talked of extended sickness; of the lameness of her daughter; of being behind with the rent; and of the fact that, because she was a 'foreigner' (German in origin), no one would trust her with credit or a job. Above all, she complained that the overseer of Cricklade was constantly behind in his payment of an agreed allowance – a clear example of tyranny both by process and inaction – and that she suffered as a consequence. A letter of 16 January 1833 noted: 'he [Mr Hunt, the overseer] Says that he can keep me as Cheap in the House what I have Recd from him these last 2 years'. On the face of it, such accusations of slow payment and heavy-handed statements

34 NRO, PE1-702-18, Letter, 3 December 1815.

35 LA, B1350-9, St Clement Danes, Letter, 4 March 1814.

that a poor widow ought to come home and be in the workhouse with her two children point to some of the potential for tyranny among Old Poor Law officials. Yet Cuss was not powerless in this relationship. Her letter of 11 July 1832 referred to 'my just right' to the prompt payment of an agreed allowance. She also employed defiant moral arguments including (3 July 1832) 'you may please yourself about writing and if your heart should be opened to answer this letter' and (16 January 1833) 'if I behaved as Some other Women Do and bring three or four other mens Children with me for you to support perhaps I would be looked upon Better a Poor Distressed widow as I am'. Such defiance clearly antagonized the overseer, for in her final letter of 21 March 1833, Cuss apologized that 'my last letter offended you so much but being in great distress it was the excitement of a moment'. Nonetheless, the overseer then paid an allowance and Cuss remained on the parish running into the New Poor Law. In short, there were limits to the potential for harsh actions of parochial elites and their officers.³⁶ Later chapters of this volume will explore the nature and impact of these limits.

FROM THE OLD POOR LAW TO THE NEW POOR LAW

The potential for petty tyranny under the New Poor Law was even more obvious than under the Old. Indeed, the issue of 'how cruel' post-1834 institutions were generated intense foundational debate in the 1960s.³⁷ Whatever their original intent, post-1834 workhouses came to contain groups across a wide spectrum of ability and inability.³⁸ The able-bodied were under-represented. In this context, persistent underinvestment in staffing,³⁹ inappropriate workforce appointments, complex interactions of central rules with inconsistent local practice and precedent, and the problems inherent in dealing with groups such as the mad poor inevitably created tensions, conflicts, misunderstandings, and tyranny, as well as scandals. For those whose welfare continued to be given outside the workhouse – the vast majority – contradictory lines of authority, the discretion afforded to guardians and officers in deciding who would end up in the workhouse and who would not, and the sweeping powers of relieving and medical officers laid the groundwork for niggling petty tyranny as well as scandal, just as they had under the Old Poor Law.

36 B. Hurley and D. Grout (eds), *Cricklade Absent Poor and Warrants for Reputed Fathers 1787–1837* (Devizes: Wiltshire Family History Society, 2005), pp. 5–7.

37 Roberts, 'How cruel'; Henriques, 'How cruel'.

38 Williams, 'Poverty, gender'.

39 Hennock, *The Origin*, pp. 50–69.

Our earlier analysis highlighted the transition period to the New Poor Law (broadly 1831–6) as one in which the potential of petty tyranny was strongly realized. The Swing Riots – at least partially a reflection of the hollowing out of traditional moral economies – had presaged and accompanied this transition period.⁴⁰ By 1835 it had become apparent that many newly formed poor law unions, even in places where the population was implacably opposed to the 1834 reforms, had cut back hard on both the numbers receiving welfare and the scale of the payments they received.⁴¹ Such experiences extended from the able-bodied poor – the group that was notionally the target of the New Poor Law – to the broadly constructed deserving poor. Barbara Halford of Newton Harcourt (Oxfordshire) wrote to her husband in 1839 to make this very point, contending that the whole of the New Poor Law was being ‘undermined’ by such practice.⁴² Many ratepayers, advocates, popular commentators, and paupers themselves bitterly resented the prospect of forced residence in the workhouse, with its disciplinary, segregation, and minimalist regime.⁴³ We should beware of softening the view of *pre-1834* workhouses,⁴⁴ but there is no doubt many people understood that tyranny by process was a means of implementing the new law, and that the whole of the New Poor Law was itself a form of tyranny by process. More than this, it ought to be read alongside other broadly synchronous reforms – such as the Anatomy Act of 1832 – to discern a much wider attack on the legitimacy, even the very humanity, of the dependent poor.⁴⁵

On the other hand, it is important to differentiate in this crossover period between the potential for deliberate and broad-spectrum acts of tyranny and ‘something else’. This comes into sharp focus if we consider the overlapping vestry minutes and pauper/advocate letters of the Northamptonshire town of Oundle and the poor law correspondence relating to the union of which Oundle became part. Thus, by 30 April 1834 almost all applicants for relief were threatened with, or obliged to enter, the parish workhouse. It would be easy to misread this as a response to the impending New Poor Law, but over a series of vestry minute entries up to 1 July 1835 it becomes clear that the parish had farmed the workhouse to a Mr Martin. By 1835 he

40 Griffin, *The Rural War*, pp. 31–47; Jones, ‘Finding Captain Swing’.

41 Williams, *From Pauperism*, pp. 4–6, 12–15.

42 LRO, Halford Mss II, Entries 1066/27 and 1066/42.

43 Walton, ‘Taking control’.

44 Ottaway, ‘“A Very Bad Presidente”’.

45 Hurren, *Protesting*; Hurren, *Dying*.

applied for some more persons to be put into the workhouse to do the work of the House he stating that the Inmates from Old age & disease are incapable of doing anymore and that the work they cause require some hands to assist himself & his wife to do the work of the House.

Perhaps we might have expected an administration alive to the imminent process of unionization to accede to such a request, but in fact a combination of reviewing outdoor relief cases and ‘hearing from each individual their remarks’ meant that, aside from adjustments at the margin, ‘The Vestry decline altering their former order further than the above’. Indeed, it was not until the very last entry of the vestry minutes on 24 February 1836 – when ‘Application was made by the Board of Guardians to Rent the Oundle workhouse &c for One Year’ – that the New Poor Law was mentioned at all. More widely, spending by Oundle parish was already falling sharply by the time a new union was formed – from £2,596 in 1831 to under £2,000 by 1835 – as the long-term effects of an economic downturn, an epidemic of lunacy, and a cholera outbreak unwound.⁴⁶

The New Poor Law had a more substantial footprint in the pauper and overseer correspondence for the parish, not least because Oundle was dealing simultaneously with parishes still operating the pre-1834 system, Gilbert Unions, and some places that had then been formed into unions under the 1834 Act. In such letters we see many examples of practice and experience that might be read as tyranny by process, conflict, and inaction: paupers in limbo as communities argued over their respective responsibilities; the mad poor ripped out of their communities and placed in distant asylums; allowances reduced and discontinued; an uptick in removal activity; and forced residence in workhouses. A closer investigation, however, clearly reveals a lack of intent in these actions and experiences. Parishes and union officers were completely at sea in trying to understand whether the 79th Clause of the 1834 Act had actually changed the practice of settlement and removal. Many delays in considering cases or paying relief were occasioned because who needed to sign what paperwork changed overnight. As the unnamed overseer of Old Weston (Bedfordshire) reminded his Oundle counterpart on 31 March 1835: ‘The Act requires the signature of the Overseers & majority of Parish officers therefore the letter should have been signed by the two overseers & one or 2 churchwardens.’

Other delays and confusions arose from the fact that union business was rather less responsive than parish administration. The Oundle overseer apologized to Mr Chapman of the Bedford House of Industry on 11 November

46 NRO, 249p/166, Oundle Vestry Minutes 1832–6.

1835, explaining that long delay in answering his letter happened because he had 'waited to lay the letters I have received before our Select Vestry and also because the Poor Law Commissioner was duely expected in Oundle'. The same point was made on 7 May 1836 when 'I duly received yours respecting the Lunatic Rippener and should have replied to it directly but could not take upon myself the responsibility and therefore thought it better that his friends should beg his cause before the Board of Guardians which only Hold their meetings once a week'. A more active group of lunacy inspectors increasingly demanded that Oundle rid its workhouse of the mad poor, regardless of the feelings of the families and vestrymen. And of course there was simply much misunderstanding of the role of unions vis-à-vis parishes under the new rules, as for instance in March 1835 when the overseers of Little Addington (Oxfordshire) wrote to say that they would be giving up all relief administration now that their union had been established 'when we of course discontinued' payments for all paupers not living in their settlement parish. The New Poor Law did not of course remove the parish completely from relief administration, and it included no blanket clause banning out-parish and other forms of relief.⁴⁷

In all these cases paupers suffered, but not necessarily from the sorts of tyranny outlined in the preface. We might almost regard the experiences as tyranny by accident or misunderstanding. In this sense, it is important that no relief recipients or applicants complained of tyranny in these final years of the Old Poor Law in Oundle, in what is otherwise a letter archive replete with loud and able writers. Nor did they complain to or about the union of which Oundle became part. The first local advocate or pauper letter to the PLC was not written until 29 May 1839, almost three years after the union was formed. Even this letter was about the very particular circumstances of a former parish clerk now needing relief having fallen down the social scale but being refused 'on the ground of Spriggs sufficiency of income'. The writer argued that 'the poor are in great danger of being entirely neglected if they have nobody to speak for them' and that such instances 'can[not] fail to end in an alienation of their good will from the Administrators of the new Law'.⁴⁸ Whether this case amounted to the practice of petty tyranny as opposed to the genuine concerns about income and capital thresholds that are played out across all welfare systems is a moot point, but the absence of accusations or letters dealing with related issues such as being forced into the workhouse is an important feature of the data. Other places for which we have evidence did generate letters of complaint. And some (but by no means all) of the localized

47 NRO, 249p/216, Oundle Letter Book 1833–6, Letters 84, 108–9, 117, 119. This point is powerfully made by Kidd in *State, Society*, pp. 21–30.

48 TNA: MH12/8810, Letter, 29 May 1839.

riots that accompanied the unionization process in some places were a reflection of community reactions to tyrannical process. This spectrum suggests that while the potential for systemic petty tyranny during the implementation of the New Poor Law was obviously considerable, the concept and practice was actually rather variable. There is rather more clarity regarding the New Poor Law proper.

LANDSCAPES OF TYRANNY UNDER THE NEW POOR LAW

As we will see, the historical account and evidence of petty tyranny under the New Poor Law feature more prominently in the secondary literature and archival collections than for the Old Poor Law. This is captured in figure 1.1 and is unsurprising. The state's involvement in the poor law from the early 1830s saw a huge increase in the collection of detailed pauper and poor-law-related data at both the local and national level.⁴⁹ Additionally, a vibrant popular national and local press grew over the nineteenth century, in which many reports described petty tyranny in considerable detail. Newspapers acted as a conduit not only for their own reporters but also for social investigators, advocates, the wider poor, and paupers themselves, including workhouse inmates.⁵⁰ Furthermore, a large amount of contemporary literary fiction focusing on the poor law, workhouses, and poverty more generally, flourished. These sources are explored at length in chapter 9. They were complemented by the continuing availability of much verse produced as poetry, broadsheets, and popular songs; the narratives that such works contained infused working-class culture and were embedded in a culminative form of working-class memory.⁵¹ As Korczynski *et al.* remind us, although workhouses were supposed to be quiet places where paupers were silenced by the orders of staff, they were

49 King *et al.*, *In Their Own Write*, chapter 2. Much secondary literature ends near or at the close of the nineteenth century: Price, *Medical Negligence*; Hurren, *Protesting*. Even when titles suggest later end dates (as, for instance, does Brundage in *The English*), the later years are dealt with cursorily.

50 King *et al.*, *In Their Own Write*, pp. 5, 51–4, 66–7; Groninger, 'Deserving and Undeserving'; Levine-Clark, 'Anti-Poor Law', pp. 44–52; Barker, *Newspapers*, chapter 9; Crowther, 'The Workhouse', pp. 183–94.

51 See, for example, J. Eagles, 'New Scheme for Maintaining the Poor: Poor-Law Sonnets', *Blackwood's Edinburgh Magazine*, 43 (April 1838), pp. 483–93; Longmate, *The Workhouse*, pp. 112–13; Palmer, *The Sound*, pp. 253–6, 298–9; Palmer, *Working Songs*, pp. 303–15; Hepburn, *A Book of Scattered Leaves*, pp. 159–94; T. Noel, *There's a Grim Horse Hearse at a Jolly Round Trot* [The Paupers Drive] (London: William Smith, 1841); Anon, *The Workhouse Door* (undated).

actually institutions where pauper poetry flourished and folk song collectors amassed much material at the beginning of the twentieth century.⁵² These things together condense to provide an overall New Poor Law archive that is both enormous and sophisticated, and there is an inevitability to finding more examples of petty tyranny than was possible for the Old Poor Law.

In the context of this archive, the potential (and reality) for petty tyranny by process, inaction, and person can be crystallized with a focus on the act of relief application. Here we see paupers characterize poor law officialdom's responses to their initial claims with phrases such as 'unfair', 'not fair', 'not right', 'unjust', 'unjustly', 'cruel', 'inhumanity', 'unchristian', 'persecution', 'oppressive', 'a scandal', and 'tyranny' itself. Perhaps one of the most tyrannical elements of the New Poor Law, and certainly one of the most common, was the discretionary process of a person's request for relief. This might be done initially through the local overseers, guardians, workhouse masters, or medical officers. However, the key individual here was the relieving officer. He (and very occasionally she) was to receive applications for relief, investigate the claims made in those submissions, and provide information from each application to the guardians who (unless determined by the relieving officer as an urgent and necessitous case, in which instances they themselves were empowered to provide immediate relief to the poor) would then direct the relieving officer as to how relief was to be provided.⁵³ People had a right to apply for relief but the law did not confer a *right* to that relief, nor a right to the mode of relief they sought to claim. Less obviously (and less often), they might begin the road to their application via a request for advice from the Central Authority.⁵⁴ Applicants usually asked for temporary or longer-term support or ad hoc costs (such as contributions to funerals) as outdoor relief. Under particular circumstances they might ask directly for a ticket to the workhouse, although this was not common. The point we make here is that applications for relief varied greatly in terms of how paupers approached them.

In turn, complaints about how those applications, in all their variations, were received and dealt with by local poor law authorities are striking within our dataset as the potential for tyranny broke through into niggling reality. The realized

52 Korczynski *et al.*, *Rhythms*, p. 155. The authors cite one example of music and singing by workhouse paupers. However, see our discussion of this in chapter 7.

53 G. Lumley, *A Sketch of the Present System of the Relief to the Poor in England* (London: Ball and Sons, 1858), p. 7.

54 In 1859 Joseph Fletcher asked the PLB for advice in regard to a local application he was planning to make, stating explicitly 'I beg to ask your Advice about applying to the Board of Guardians. ... I have not yet applied to them nor do I intend until I have your Advice on the subject' (TNA: MH12/14405, 2512/1859). Joseph Fletcher, York, to the PLB, 18 January 1859.

forms of tyranny might (and for the first time) be codified into three core practices, broadly mapping onto our categorizations of tyranny by process, neglect, and person. First, paupers were drawn into elongated and complicated processes often involving their case being passed between several officials. Second, they were denied access to local elected officers to argue their case and make personal and direct appeals. And third, applications were rendered irksome by forcing applicants or their representatives to travel many miles to speak with officials and garner relevant paperwork. Collectively, these practices delivered a clear and persistent message about the nature of power within the welfare system and fused all aspects of our tripartite definition of petty tyranny.

Within the first approach we find examples of complaint from individual paupers who saw their own applications thwarted by the dizzyingly intricate and overcomplex procedures established by some unions seemingly to purposely baffle, bewilder, and disorient the poor. For instance, in 1842 Catherine Nash from Heanor (Nottinghamshire) wrote to the PLC. She explained that following the conviction and imprisonment of her husband she had applied for relief on account of herself and her three young children. The letter meticulously recounted how she:

applied to the Overseer of Heanor in the county of Derby where I reside he directed me to attend on the Relieving Officer on the 11th June. I attended the R. Officer and asked for relief but he refused me any – took down my case and sent it to the Guardian of Sudbury in the said county of Derby (the place of our settlement) but no answer returned, about a fortnight after the Guardian of Heanor wrote to the Guardian of Sudbury aforesaid but no answer hitherto.

It is clear here that Nash had asked ‘for relief’, meaning outdoor relief, eschewing the notion of the workhouse. All told, Nash expended six weeks seeking relief, by which point not only was she destitute, but monies expended for food on credit in that time had left her greatly in debt – clear signals of tyranny by process, person, and inaction.⁵⁵

A very different kind of relief application came from Thomas Barker, who gave evidence to the Derbyshire coroner on the death of his wife Martha in November 1849. He had sought medical relief when she was taken ill towards the end of her pregnancy. Although sick, the couple never entertained the idea of entering the workhouse, where she would have had access to the workhouse medical officer; instead they remained in their home. Barker secured an order from Mr Marshall, the Ilkeston (Derbyshire) overseer, for the medical officer to see his wife, and he took the order to Arthur Edgar Longstaff, one of the

⁵⁵ TNA: MH12/9235/221, 10501/B/1845, Letter from Catherine Nash, Heanor, to the PLC, 21 July 1845.

medical officers of the Basford Union. Longstaff refused to attend, saying Barker must fetch Marshall 'as he could not attend my wife with that [the order]'. After speaking with Marshall, Longstaff continued to refuse to attend Martha, and stated that Barker must secure another order from Mr Toplis, the relieving officer for Ilkeston who resided at Bulwell. Thomas argued that his wife needed immediate care:

I told Mr Longstaff the case was an urgent one for she was very bad and I did not expect her to live till I got home. I said I did not know the way to Bulwell and he said he would tell me the way, He pointed out a way to me by the Balloon Houses, Trowell Moor – I told him I could not go to leave my wife alone in the state she was in He told me it was 7 miles there and 7 miles back which would make 14 miles for me – 'If you get the Order' – attend me at 9 in the morning and I will then attend 'your wife'.

Not only was Buwell a considerable distance away but it was described as being a very dark and rainy night and Thomas stated that 'I did not know the road'. He went to Mr Norman, one of the other Basford medical officers, the next morning, and Mr Norman did visit his wife. Martha gave birth that day but died the same evening. The report into the death shows a litany of parish and union officers disagreeing over the rules of who should have attended, when they should have attended, where they should have attended (at the workhouse or in the domestic context), and under which order. As well as being an example of tyranny by such a confused and elongated process, Longstaff personally refused to believe that Martha's case was an urgent one regardless of Thomas's pleading that it was. The medical officer eventually found himself censured for non-attendance – though in strict legal terms that non-attendance was permissible – a confirmation of tyranny by person

A particularity clear articulation of the deliberate circulation of poor applicants as an aspect of tyranny by process comes from William Josh Davies, who wrote from Aberystwyth (Cardiganshire) in 1869 to complain that the guardians and master there were

confounding applicants for relief by sending them upon a fools errand to & fro under the pretext that they can do nothing without consulting the Relieving Officer who makes a similar excuse in his turn – till the applicant is completely bewildered_ & were it not for private charity Death must be the result this famine for many would rather perish thro' hunger than enter the House for a few days the period for which assistance is frequently asked was.⁵⁶

56 TNA: MH12/15801, 1607/1869, Letter from William Josh Davies, Aberystwyth, to the PLB, 5 January 1869.

The tragic results of this contested place of the workhouse in the matrix of relief foreseen here have a key place in our data. Thus, in 1876 Arthur French, described as an 'Irishman of good birth, and at one time in a respectable position', had recently travelled from Ireland to Liverpool with his sons, from where he took the train to Birmingham (Warwickshire) before walking the rest of the way to London. Arriving there reportedly weak, 'although not ill', he traversed the streets of the city for days looking for work before initially applying for admission to the Royal Free Hospital. Being refused,⁵⁷ he walked to the infirmary at the Holborn workhouse (Middlesex), where he was again refused. It appeared he then managed to find a local doctor who advised him to go to the St Pancras workhouse (Middlesex), and it was on this last journey that French collapsed 'from sheer exhaustion'. The case was widely reported in the press, and the *Liverpool Evening Express* took the opportunity to condemn the difficult process by which French eventually secured an admission, quoting the words of one of the coroner's jury that 'if the deceased had been attended to earlier his life would have been saved'.⁵⁸ Here, then, all three aspects of our tripartite definition of tyranny were realized.

If being passed around the system or ignored by different poor law officers was a familiar tyrannical manoeuvre perpetrated by union officers, then the second identified practice of officialdom – that of gatekeeping and the purposeful refusal of allowing access to specific officials – is also important. In December 1842 John Orman of Bethnal Green (Middlesex) wrote to the PLC 'to lay a statement of my greavances & Deprivations' triggered during his then-current application attempts. Orman had applied to Mr Atfel, the Spitalfields relieving officer, and asked for his name to be put down to go before the guardians. Atfel refused to allow Orman to do so, telling him that the workhouse was available for him and the rest of his family should they need relief. However, Orman's wife refused to enter the workhouse and declined to give up the little work she was able to secure. Interestingly, Orman refrained from asking the Commission to intervene to provide relief itself. Rather, he asked them to 'send a few lines to Mr Atfel to [oblige] him to put my Name down [to] go before the Board'. It was an alteration to Atfel's process for pauper applications – an example of tyranny by process and by person – that Orman desired the PLC to challenge.⁵⁹ An identical grievance can be seen in John Phillips's letter of June 1855. He wrote from Cardiff to the PLB and expressed his frustration at being denied access to the local guardians. Twice he had seen

57 The typical reasoning for such refusal is set out in Cullen, 'Patient case records'.

58 *Liverpool Evening Express*, 11 October 1876, p. 3.

59 TNA: MH12/6843, 14391/1842, Letter from John Orman, Bethnal Green, to the PLC, 12 December 1842.

the local relieving officer and requested that his name be put down for him to be brought before them. The relieving officer stated that the board would offer Phillips 'an order for the House'. This was not acceptable to Phillips, who insisted he should have the right to make his claim directly to the guardians for outdoor relief, and he protested bitterly that he was not allowed to do so.⁶⁰ In August 1880 it was reported by a workhouse inmate at Fulham (Middlesex) by the name of Surret that he had been told: '[should] you want to make any complaint you must see the guardians or the committee'. As Surret noted, however: 'There is none of them ever come near us. I have not seen any of them this two years, and when they are here they lock all the gates and doors so that we should not see any of them.'⁶¹ In all three cases, the denial of access sent clear symbolic signals about the dependency of the applicant poor.

In turn, resentment at the controlling and limiting of the poor's access to the guardians in particular is something of a wider feature within the New Poor Law corpus, and we see this as a commonality across the landscape of tyranny by process and person alleged by the poor. Thus, Joseph Smith wrote from the Penistone Union workhouse (Yorkshire, West Riding) to the LGB in December 1882 complaining of his treatment by the Sheffield Union workhouse. Smith was 71 years old and in receipt of a military pension that the Sheffield Union appropriated during his stay at the workhouse, as it was entitled to do. While an inmate, he was put to 'very laborious work, heavy washing & wringing machine I told them I was not able to do the work but they said I must do it wether I was able or not'. Smith calculated the cost to the Sheffield Union would have been 4d per day over the 17 weeks of his stay, but they claimed £4 6s 3d as soon as his pension became payable. Although destitute, he discharged himself from the workhouse and, after ascertaining from the Sheffield relieving officer that the union had received his pension, he asked to see the guardians. As with cases referred to earlier, the relieving officer refused. Smith took his grievance to the local magistrates who agreed the guardians should not be allocating such work while claiming the man's pension, but they stated that they were powerless to intervene or order the union officer to allow Smith an interview with the guardians. His treatment had been legal, if tyrannical.⁶²

There are other examples of this sort of tyranny. In February 1886 Edward Look, an inmate at the Godstone workhouse (Surrey), asked to go before the

60 TNA: MH12/16250, 26300/1855, Letter from John Phillips, Cardiff, to the PLB, 25 June 1855.

61 *Sunderland Daily Echo and Shipping Gazette*, 28 August 1880, p. 3.

62 TNA: MH12/15489, 719/1882, Letter from Joseph Smith, Penistone Union workhouse, to the LGB, 31 December 1882.

board to make application for new clothes and for a few days leave to seek work, but he was told by the master that he (the master) would make the application on his behalf and 'would not allow his personal application'.⁶³ That same year, Eliza White, an inmate of the Croydon Union (Surrey), was charged with refractory conduct. White said she wanted to see the guardians as previously promised, and it was her being denied this that prompted refractory behaviour. Even as late as 1910, Annie Webster was refused her application to see the Walsall Union guardians (Staffordshire) so that she could gain permission to go into service:

They refused to see me, and I refuse to work. ... I made arrangements with the Master and Matron to see the Guardians. They (the Master and Matron) saw the letters [from her prospective employer] and read them, so knew I had got situation to go to. I have five children, and two are looked after by relatives. I promised to pay 2s. week out of my wages, for the children, until such time I could fetch them out. I wanted to face the Guardians, and after waiting considerable time I was told that they refused see me, and I refuse to do any further work in the Workhouse.⁶⁴

A third and final variant of this sort of tyranny by process and person was forcing applicants or their representatives to travel miles to secure relief, including workhouse admission. In March 1842 the Reverend James Rudge wrote to the PLC 'from the interest I feel for the comforts and conveniences of my poorer parishioners'. Rudge wrote in relation to medical relief and, while referencing a named individual (Samuel Quentin), he generalized the complaint by asserting that while visiting Quentin and other sick parishioners in Hawkchurch workhouse (Devon) he had received several complaints as to the serious inconvenience to which they would be subjected on account of how far away the then newly appointed medical officer lived. He was located at Chard (Somerset), some nine or ten miles away, such that any application for medical relief now required a messenger to undertake an eighteen-mile round trip. The medical officer would then need to undertake a similar journey to see the patient, followed by another of the same length to fetch the medicine once a diagnosis was made.⁶⁵ The appointment had been legally made and sanc-

⁶³ *Epsom Journal*, 11 March 1884, p. 5. For wider context of such requests for clothing to go 'out', see Jones *et al.*, 'Clothing'.

⁶⁴ *Walsall Advertiser*, 23 April 1910, p. 11.

⁶⁵ TNA: MH12/2096, 2937/A/1842, Letter from James Rudge, Hawkchurch Rectory, to the PLC, 22 March 1842.

tioned by the PLC but it nonetheless encapsulates all aspects of our tripartite definition of petty tyranny.

Other detailed examples exemplify the issue. In late 1859 Peter Davies, who had been employed as a moulder at John Yates Foundry in Blackburn (Lancashire), fell sick and left the works there. For the next five months or so Davies lived off his savings until, when destitute, he applied to enter the Blackburn workhouse. Having made his way there he spoke with the porter, who did not refer him to either the relieving officer or the overseer,

but said 'where do you come from' I said I had been working in Blackburn for the last three years. He said 'Was you born in Blackburn' I said no I was born in Stockport. He said 'did you serve your time in Stockport'. I said yes He then said 'Stockport is your Parish and you will have to go to Stockport as we can do nothing with you here'.

Davies travelled the thirty-two miles between the two sites primarily on foot in an episode driven by failings of character and knowledge on the part of the porter.⁶⁶

Writing in 1885 the Reverenced C. J. Wilding, vicar of Upper Arley (Staffordshire) near Bewdley (Worcestershire), made similar observations over the locally organized elongation of relief applications at a meeting of the Kidderminster guardians (Worcestershire).⁶⁷ He complained of 'the great inconvenience and hardships experienced by the poor in his parish, consequent upon the great distance of the residence of the relieving officer from the parish'. Wilding had written a note to the relieving officer concerning an elderly lady at Shatterford. The note was sent to the workhouse and no notice taken of it for fifteen days. Surely, he asked, could not the guardians or overseers be entrusted to intervene? Woodward, the guardian for Arley, said the parish was peculiarly situated in regard to a pauper making an application for relief and that a poor person seeking help from the medical officer might be involved in a fifteen-mile trip to get the required medical relief note from the relieving officer before taking the same to the medical officer.⁶⁸ This of course supposed the relieving and medical officers were at home at the times they were needed. It also of course involved one or more journeys right past the front door of the workhouse itself.

66 TNA: MH12/1148, 21398/1860, Examination of Peter Davies, to the PLB, 4 June 1860.

67 Although in Staffordshire, Upper Arley was part of the Kidderminster Union (Worcestershire).

68 *Worcester Journal*, 21 February 1885, p. 3.

In March 1902, in a newspaper article entitled 'Relieving Office and Pauper: Alleged Petty Persecution', one of the guardians of the Swansea Union (Glamorganshire) complained that Mr James, the relieving officer, had carried out a personal grudge against a female pauper described as a 'cripple' and made her walk 'four times at the Board Offices for the purpose of getting a couple of shillings a week relief'.⁶⁹ The signals of petty tyranny framed by the failings of place and person are clear. None of this was accidental; guardians and paid officials often discussed the issue of circular travel times but rarely put measures in place to mitigate this perennial problem, itself an act of tyranny by both process and neglect. This can also be seen in a case from September 1909 when J. Willet, one of the guardians of the Nantwich Union (Cheshire), raised concerns about an elderly woman who lived at Tilstone Fearnall. The village fell within the Tarvin Union (also Cheshire) but abutted the boundary with the Nantwich Union. She had to walk three miles each week to collect her relief, and Willet, along with a fellow guardian, suggested that as one of their relieving officers directly passed her house twice every week an arrangement might be made to assist her. Notwithstanding the fact that similar arrangements stretched back to the days of the Old Poor Law, the suggestion was quashed by the Nantwich chairman: 'We cannot. It would be an overlapping of authority which no one could wink at. It may be a hardship, but it arises purely through the boundaries of parishes.'⁷⁰ Most of these cases relate to the outdoor poor, of course. What ties them together is that these paupers chose to walk many miles in an attempt to retain their homes and independence when an application for indoor relief would almost certainly have been granted. Here, the poor accepted the tyranny of inaction, the tyranny of neglect, and – in the final example at least – tyranny by person in order to maintain an outdoor independence. We will return to this theme throughout the book.

In turn, the workhouse has a subtle place in all of our stories. In August 1910 the guardians of the Aberystwyth Union investigated the working practices of their relieving officers and discussed the potential for closing their local pay stations, while admitting this could be problematic for some of the local poor in necessitating a round trip of eleven miles for some of the paupers and potentially making workhouse residence much more likely.⁷¹ In October 1914 it was reported that vagrants passing through the Uckfield Union workhouse (Sussex) from the south had to walk past the workhouse itself and go a further three miles to collect their ticket of admission from Miss Markwick's office, she having been the vagrant relieving officer. Once

⁶⁹ *The Cambrian*, 14 March 1902, p. 5.

⁷⁰ *Cheshire Observer*, 11 September 1909, p. 8.

⁷¹ *The Cambrian News and Merionethshire Standard*, 5 August 1910, p. 6.

their tickets were collected, the vagrants would need to walk the three miles back to the workhouse, giving them an extra six miles to walk. This, Marwick considered, no doubt left 'many [of] these individuals footsore, and was unnecessary torture'.⁷² Depending upon the type of relief being applied for and the geographical situation of varied local agents, the mileage required for applications could be vast. Such cases speak not just to tyrannies of process and neglect right up to the eve of World War I, but also to a retreat from the moral arguments and other constraints that had controlled the realization of the potential for tyranny under the Old Poor Law.

CONCLUSION

The cases outlined here have done much to both encapsulate and bring to life our tripartite definition of petty tyranny. The acts, processes, neglects, deliberative failures, and petty attitudes that inform the story of the archive (almost all of them lawful in the strictest sense) speak both to the latent potential for tyranny under both the Old and New Poor Laws and the way in which symbolic and practical currencies of imbalanced power might lead to the 'feeling' or expectation of petty tyranny. That potential broke through into the everyday lived experiences of actual or prospective workhouse paupers in complex ways. For the Old Poor Law, the facts that relief was negotiated or negotiable and that parochial officials were enmeshed in a complex set of community relations limited parochial abilities to exercise the almost unbridled control that the law afforded to them. In the particular context of the workhouse, the fleeting and transient nature of much provision at parish level and the sheer variety of institutional contexts encompassed by the term 'workhouse' also limited the exercise of tyranny, as we shall see. The New Poor Law was a different animal. Its early years clearly saw the deliberate exercise of institutional tyranny, but there was also much that can only be explained by imperfect knowledge, disrupted practice and organization, and the teething troubles normally associated with a new system. Once the New Poor Law was into its stride, however, there is evidence of sustained continuity of petty tyranny by process, by neglect, by inaction, and by person, right through to the outbreak of World War I. Across our period, however, the words of paupers and their advocates point clearly to the importance of local people, characters, places, and situations – the micro-DNA of the welfare system – in determining when and how far the latent potential for petty tyranny was realized. The next chapter explores a particular aspect of this DNA – the physical workhouse estate – to develop this argument further.

⁷² *Sussex Express*, 9 October 1914, p. 4. These were also familiar complaints on the part of vagrants. See Crowson, 'Tramps' Tales'.

Places and Spaces

On 6 November 1829 Ambrose Cutler wrote from 4 Great Tower Street (London), intervening in the case of Frances Soundy, originally from Pangbourne (Berkshire) but now living in Battersea (Surrey). She had visited Cutler and showed him a letter from the overseer of Pangbourne in which the parish had (clearly) refused poor relief. It is not difficult to understand why, since Soundy (in her own voice, or adopting the persona of her husband and children) wrote more than thirty letters to Pangbourne between 1818 and 1831, seeking relief for herself and her children and to avoid an enforced return home and residence in the workhouse. Cutler argued on her behalf that if Mr Soundy could just get work, all would be well, adding:

Under these circumstances and knowing as I do the neseceties of the parties I most earnestly recommend them to you as deserving of your assistance. I have only to observe as a very old Parishoner (not of the Parish in which the applicant resides) that I would recommend an allowance in preference to their becoming inmates of the workhouse.¹

Experience, standing (as a long-term ratepayer of another parish), humanity, and common sense had taught Cutler that removal and workhouse residence would be counterproductive. More than this, we can read the letter as an admonishment: despite the obviously parlous condition of the family, the Pangbourne overseers' refusal of relief was an act of tyranny that would inevitably force a respectable family into the workhouse. Soundy herself made an exactly similar point in a barely literate letter (ostensibly written by her husband James but in her hand and signed by her) of 6 June 1827. This opened: 'I have no doubt but you think as I have maid so many application to you And have receved no answer from you to no wot step You would wish me to take in the distress of my family that it as bene all falls on porpes to obtain assistans

¹ BRO, D/P 91/18/4/2, Letter 31.

from you.’ Warming to her task, Soundy argued that she had no option but to apply for parochial aid because her son had been taken up for forgery and his wife, now heavily pregnant, had been forced to move in with Frances. These new arrangements tested the family finances beyond endurance, and Frances thus argued that unless they received instant relief her daughter-in-law ‘must go to the workhouse for I can not bare to see her lay on the ground at sush a time Gentellmen I have no obgection to attend on her and do all that lay in my power for her but intirly to surport her throu her trobell I can not’. Casting herself as a supplicant in the face of the power of officials, Frances went further: ‘If gentellmen you would condesand to write to your distressed parrishoner that I may not take any step that is unplesing to you.’ A postscript to the letter once again turned to the threat of enforced workhouse residence: ‘If gentellmen you would let me no as soun as posiable for if she must go to the workhouse I must git an ansr.’²

These letters speak directly to some of our typologies of tyranny – by process, neglect, inaction, and person – and demonstrate that the outdoor (and, in this case, out-parish³) poor could both elaborate and realize the intent of such practices. But Soundy was also in a liminal and precarious position somewhere between outdoor relief and enforced workhouse residence, and, as chapter 1 began to argue, the workhouse constitutes a very particular space for the imagination and exercise of petty tyranny. David Eastwood argues that ‘parish officers had little hesitation in intervening in the lives of parishioners and did so across a positively kaleidoscopic range’, but the power and symbolism of that intervention was embodied most clearly in workhouse buildings.⁴ They concentrated the poor on a residential basis, they were a site from which outdoor relief might be dispensed or refused, and they required some degree of oversight and management, even if at arm’s-length. These features were crucial in determining the degree to which the potential for petty tyranny outlined in chapter 1 was realized or frustrated, and they intimately shaped the sorts of abusive and controlling practices to which the poor might be subject.⁵ The rest of this chapter thus focuses on workhouse sites and buildings. For the Old Poor Law we return to one of the foundational issues outlined in the book’s preface: how to define workhouses and the spectrum of provision that arises from that

2 BRO, D/P 91/18/4/2, Letter 12.

3 King, “It is impossible”.

4 Eastwood, *Government*, p. 48.

5 Keith-Lucas, *Parish Affairs*, p. 117, notes that one contemporary commentator looking at the Martin workhouse (Kent) contrasted it favourably with other places that were ‘usually kept in a state of misery purposely, both from parsimony and to terrify the poor objects’.

definition over time and space. Ranging across vestry minutes, insurance policies, surviving material culture, and other source-types, we will explore the possibilities of and constraints on the potential for tyranny that emerge from the buildings themselves, and we will further explore the sorts of symbolic messages about power, process, and control that the poor were likely to have garnered in these physical contexts. For the New Poor Law period we focus on the extension of the workhouse concept physically and psychologically. The post-1834 state rolled out the workhouse building programme across England and Wales. The main body of the workhouse was commonly surrounded by its own outbuildings, work areas, and grounds. Mainly following the designs of sturdy locked doors and high windows and walls, they underpinned pauper discipline and categorization. The workhouse estate thus sought to overawe pauper inmates and the wider poor that lived in its shadow. We will explore these spaces and the potential for petty tyranny that they allowed before moving on to consider the ways in which knowledge of such practices percolated the outside communities from which pauper inmates would be drawn. For both poor law systems, we argue, workhouse sites embodied and facilitated all three aspects of our definition of petty tyranny and contributed to the generalized ‘feeling’ of its threat.

SITES OF TYRANNY: THE OLD POOR LAW

The capacity for workhouse-like institutional buildings and sites themselves (as opposed to just what went on there) to excite popular and public hostility is a persistent signature in our data. When Joseph Maggs recorded memories in his diary that Houses of Industry in Bulcamp, Nacton, and Barsham (all Suffolk) were pulled or burnt down by inmates and non-residents in late 1765 and early 1766, he was capturing a seam of hostility that we can trace back to at least the early 1720s and which continued right up to the 1830s.⁶ On 6 April 1834, for instance, the *Bell's New Weekly Messenger* noted ‘Another Riot in the Workhouse’ at St George Hannover Square (Middlesex), where ‘five sturdy young wenches’ had abused the staff and broken ‘everything which came in their way using the expression, “Now for it; we’ll serve the ---- parish out!”’⁷ It is not difficult to see why both buildings and their imagined intent loomed large in the popular imagination. On 21 April 1836 the Banbury (Oxfordshire) town clerk wrote to a local MP about a recent crackdown on crime, noting that ‘if the Gaol should be thought insufficient we have a large

6 A. Bottomley (ed.), *The Southwold Diary of James Maggs 1818–1848* (Woodbridge: Boydell, 1983).

7 *Bell's New Weekly Messenger*, 6 April 1834, p. 166.

building in the town lately used as a workhouse, which might be converted into a very commodious Prison'.⁸ The rumour that the old workhouse was to become a prison would clearly have circulated in the small market town and cemented the mentality that associated workhouse life with confinement, punishment, and tyranny, itself a constant theme of the New Poor Law period, as we shall see.⁹

Yet, and as our preface argued, there were workhouses and then there were workhouses. Two of the small handful of surviving workhouse buildings – those at Gressenhall (Norfolk) and Southwell (Nottinghamshire) – were Old Poor Law institutions. Like their counterparts in London¹⁰ and in other large urban areas such as Liverpool (Lancashire) and Leeds (Yorkshire West Riding), they were planned spaces, offering the potential for work, segregation, supervision, observation, and discipline.¹¹ Some were located on the outskirts of communities or (in the case of Liverpool¹²) relocated to such sites,¹³ cutting inmates off from their networks and familiar spaces even apart from the carceral nature of the buildings themselves – a trend that Charlotte Newman and Katherine Fennelly argue continued strongly under the New Poor Law.¹⁴ The alien 'feel' of the Gressenhall workhouse has recently been brought vividly to life in a three-dimensional reconstruction by Susannah Ottaway and Austin Mason.¹⁵ Yet these were *not* the normative buildings and sites for workhouse-like institutions. The shoemaker George Herbert, reflecting on his life in Banbury in the 1830s and 1840s from the perspective of the late 1890s, when he was eighty-five, noted that 'The old [poor law] workhouse was a poor lot of old places, but little better than cottages. These as you are aware were cleared off or turned into cottages after the Union [workhouse] was built' in 1835.¹⁶ This evocative description from real life has a sustained

8 P. Renold (ed.), *Banbury Gaol Records* (Banbury: Banbury Historical Society, 1987), p. 78.

9 On synergy of pauperism and crime see Melander and Miotto, 'Welfare cuts'.

10 The best known of which, through the work of Jeremy Boulton, Lynn Mackay and others, is St Martin's in the Fields. See Boulton and Black, 'Paupers'.

11 Ottaway, 'The purposeful', makes the same point about Norfolk workhouses.

12 The Brownlow Hill workhouse. See Longmore, 'Liverpool Corporation'.

13 Relocation was a persistent narrative for urban institutions. See Anon., *The Friendly Design; containing a variety of plans for the benefit of the rich, and the comfort of the poor. Or practical methods to reduce the parish rates* (Birmingham: Swinney and Hawkins, 1800).

14 Newman and Fennelly, *Poverty Archaeology*, pp. 20, 24.

15 Ottaway and Mason, 'Reconsidering'.

16 C. Cheney (ed.), *Shoemaker's Window: Recollections of Banbury Before the Railway Age. By George Herbert 1814–1902* (Banbury: Banbury Historical Society, 1971), p. 48.

imprint in our other Old Poor Law sources. In 1810 an insurance policy for 'a thatched dwelling now used as a workhouse' in Chideock (Dorset) reveals a building little more than a large cottage.¹⁷ Even newly built premises in some parishes were conceived as little more than large cottages.¹⁸ And while small places *were* capable of building much more ambitious sites, as for instance with the Ullesthorpe House of Industry (Leicestershire) between 1789 and 1792,¹⁹ there was usually little appetite for grand plans and grand costs. The systemically poor state of repair of many of these small parish workhouses/poorhouses should not in itself be taken as an example of symbolic or neglectful tyranny, given the background housing standards for the poor. Longbridge Deverill parish (Wiltshire) inspected its poor in September 1832 and noted that a committee had 'visited a considerable portion of the Houses & other premises occupied by the Poor person [whether in receipt of relief or not] in this parish' and found them all wanting.²⁰

Between these two broad extremes, and as the preface began to show, parishes might commission (and subsequently dispose of) a broad range of building types, structures, and formats. The two central parishes of Devizes (Wiltshire) combined (apparently without the force of law) to purchase the woollen factory of a bankrupt manufacturer as their workhouse in the 1790s.²¹ The Eastbourne (Sussex) workhouse was a former cavalry barracks, 'a building admirably adapted for its purpose' without spending further money. A sense of its construction ('a brick, timber and tiled building') and its size (a rebuild value of £300) is to be had from the parish insurance policies.²² Prior to 1809, Cheltenham (Gloucestershire) had an extensive leasing policy to acquire and hold houses suitable for multiple occupancy of the town poor.²³ A brand new workhouse in 1809 involved the renaming of an entire street ('Workhouse Lane') to accommodate a large building that would subsequently serve the new Cheltenham Union for six years. Nearby Charleton Kings parish (Gloucestershire) thought that it might need a workhouse in 1817 and agreed to acquire

17 DRO, PE/CDK/OV2, Insurance Policy 1810.

18 DRO, PE/BDW/OV/6/3/1-3, Bills and Insurance Policy for the new Broadwindsor workhouse.

19 LROW, DE 400/68, Papers and Plans for the House of Industry 1789–92. See also items 69 and 70 relating, respectively, to the extension of the House in 1816 and its sale in 1840.

20 WRO, 735/32-33, Chilton Foliat Overseers' Accounts, 14 September 1832.

21 B. Hurley (ed.), *Devizes St. Mary Survey of the Poor 1802–1808* (Devizes: Wiltshire Family History Society, 2003), p. 2.

22 J. Wright, *Bygone Eastbourne* (London: Spottiswoode & Co. Ltd, 1902), pp. 129, 143.

23 On the wider reach of this policy see Ashby, *One Hundred Years*, p. 124.

a plot of land for this purpose but failed to complete the legal work. The new workhouse was thus subsequently built on land the vestry did not technically own. Sited behind the village almshouses, the symbolism of the new building at this time and in this place would have been considerable. It did not prove equal to the initial imaginings of the vestry: by the time of its opening in 1827 it served as a children's home rather than a workhouse, with the parish obliged to rent supplementary cottage accommodation on an extensive basis.²⁴

The overwhelming sense from Old Poor Law vestry minutes is that parishes thinking about the acquisition, building, or disposal of their own workhouse-like buildings tended to be highly reactionary and guided by serendipity and short-termism.²⁵ Even more firmly, we see it in two other insistent features of the data: turnover and matrices of institutional provision. The Wiltshire parish of Chippenham St Andrew certainly had a workhouse from the 1750s, but it also had a 'Pesthouse' (from 1760) and the 'Cocklebrow' house (from 1768), all operating simultaneously beyond the 1790s.²⁶ Malmesbury (also Wiltshire) had a 'Common house' (from March 1765, referenced again in August 1785), a workhouse from 1784, a converted coffee house (also from 1784), and 'Culver House' from July 1815, with the latter being different from the workhouse that was also referenced in the following year as having fifty-three inmates.²⁷ The early-nineteenth-century vestry records of Welton (Northamptonshire) provide an even more intricate picture of the fluidity of potential sites of tyranny. As well as the long-established parish workhouse, we learn that the parish had numerous 'poorhouses', several 'parish houses' in various states of repair dating from March 1785, and paid-for houseroom. In 1816 it built '2 small houses adjoining the workhouse'. Notwithstanding all this provision, when 6d per week was added to the pensions of many recipients in October 1821, the widow Butlin was excluded and 'if in distress, will be sent to the house of industry at Rugby' (Warwickshire).²⁸ In Lancashire, on 14 August 1833, the parish of Tarleton agreed to buy space in the Penwortham workhouse for its paupers. This decision had, however, been preceded by a long search for an institutional solution for the Tarleton poor. The parish had experimented with

24 J. Waller, H. Atkinson, and S. Rowbotham (eds), *A Chronology of Housing the Poor in Cheltenham* (Cheltenham: Cheltenham Local History Society, 2009), p. 28.

25 Though contrast the planned system described by Ottaway, 'The purposeful', for Norfolk.

26 WRO, 811/126, Overseers' Accounts for Chippenham St Andrew, 1742–56; WRO, 811/127, 1756–71.

27 WRO, 1589/33–35, Overseers' Accounts for Malmesbury, 1760–1817.

28 NRO, 356p/28, Vestry Minute book for Welton 1766–1830; 356p/7, Welton Overseers' Accounts 1773–99; 356p/8, Welton Overseers' Accounts 1799–1813.

its own workhouse building rented from William Cotton (1828); buying space in the Ormskirk workhouse (1830, but repeating an episodic pattern taking place since 1740²⁹); individual parish poorhouses; and the 'Hutton workhouse or in any adjoining workhouses if possible' (1833). In May 1834 the vestry 'Agreed to reward Thos Hibbert, the governor of Penwortham workhouse £1 for services done to this township's paupers'.³⁰

Hibbert's reward should cause us to think about the meaning of these workhouse arrangements for the realization of the potential for tyranny under the Old Poor Law. Three observations have particular import here. First, it is entirely plausible that outside of the largest (largely urban) workhouses, the sheer turnover and complexity of parish provision could itself be regarded as a form of tyranny, both in practice and in the imagination of welfare recipients and their advocates and communities. Such fluidity was deeply rooted in the politics of place and the micro-DNA of the poor law described in chapter 1. Claimants who lived away from their settlement parish could never be sure of the exact constellation of institutional arrangements 'at home'. Some had to ask this very question or, like Frances Soundy when she wrote to Pangbourne, had a memory of institutional provision that was long gone by the time they wrote. 'Home' paupers and applicants would have better knowledge of current arrangements – some even noted walking past or working in the proximity of workhouses – but they might also learn about or have been told of planned or impending changes. Even then, the number of nascent schemes to build parish workhouses or buy space somewhere else that then failed or took many years to realize is a compelling feature of the data. Faced with such uncertainty, the poor must have found it hard to emotionally reconcile with institutional care; would have had profound concerns about being wrenched out of their communities in the future; and might have to cope with multiple significant changes in the rules, scope, and format of institutional containment in very short order. Whether we have records of the workhouses and their inmates or not, such fluidity itself embodies the tripartite definition of petty tyranny we employ here. By the same token, parishes themselves could easily be destabilized or paralysed by the prospect of changed arrangements, such that the potential for tyranny by neglect and inaction in institutions was richly realized and residence in them might become deeply personal, psychological, and moral rather than merely a matter of procedure, economics, or containment.³¹

Second, fluidity of provision might mean that *particular* forms of tyranny were systematically realized in and through workhouse buildings. In our

29 LRO, PR 3186/7/9/2, Tarleton Churchwarden's Accounts.

30 LRO, PR 3168/5/1, Tarleton Vestry Minute Book 1822–36.

31 On psychological cruelty see Chinn, *Poverty*, p. 103.

process and person categories, for instance, recipients, relatives, and claimants often argued that they had been singled out for institutional admission given their history with the parish and its officers. In other words, that the transition from the potential for tyranny to its real practice was shaped not by the 'big trends' reviewed in chapter 1 but by individual relationships at the parish level. We see this, for instance, in the case of Pheobe Rowland, the mother of an illegitimate child and a serial poor-relief recipient. At her death in 1837, the overseer of Malpas (Cheshire) ordered the suspension of payments for child support and that 'you will much oblige me by telling the Grandmother of the child to deliver it to me and I will pay their outside fare on the Coach to Malpas and also pay her fare back again to Manchester. ... I believe the child will be placed in the workhouse at Wrexham.'³² In effect, the parish had waited for Rowland – a fierce advocate for her children – to die or become incapable before acting on her illegitimate child, and against its own economic interests since it would have been cheaper to pay the grandmother to continue her support for the child.

Under our 'neglect' category, paupers and advocates complained that officers housed them in tumbledown parish houses or left them hungry or naked, both as a matter of policy but also because of planned changes to the farming, workhouse, or other containment options for the poor. Thus, when George Smith, overseer of Hulme (Lancashire), responded to the advocate William Hudswell of Leeds, who had written to him about the housing arrangements of Widow Higginson, he used the back of the original letter not to offer more support for the old woman but to say 'Might not Jane Higginson economize by lodging with some relation or friend – it seems a small waste of money to pay rent for a single individual. If there be neither relations or friends she might probably be admitted into the Poors House and kept comfortable on her present allowances'. Hulme was at this time considering the establishment of just such a poorhouse.³³ And above all, fluidity of provision increased the chances of tyranny by inaction, including the failure to protect individuals from other paupers, failing to move paupers on from institutional containment when the opportunity allowed, deterioration of diets, and the inappropriate care of children we so often find in institutional contexts after 1800. The Market Harborough (Leicestershire) vestry was clearly aware of the threat of tyranny by inaction when noting a draft agreement for the farming of their workhouse in 1793. The agreement set out a considerable range of duties and restrictions on the contractor and, while it allowed the master to

32 MRO, M10/815, Letter of Richard Lewis, Malpas, 29 May 1837.

33 MRO, M10/808, Letter, 24 May 1836, written on the back of Hudswell's original of 21 May 1836.

benefit from the work of the poor, the tone of the agreement was restrictive rather than presumptive.³⁴

Our third observation thus centres around the ambiguous place of institutional ‘rules’ in the realization of or control on the potential for tyranny. Frederick Eden set out the rules for ten workhouses but hinted at many more through his notation of sixty-eight institutional dietaries and more than a hundred work regimes that one might have thought to be covered by some sort of formal rules.³⁵ Almost all of the seventy-six farming agreements available to us in our dataset carried at least basic rules of conduct and care, while Gilbert Unions, other incorporations, and workhouse sharing arrangements were always underpinned by sets of rules. Formalized agreements or arrangements for other forms of parochial institutional provision are harder to find, though indirect evidence often suggests they existed. Hence, an 1825 inventory of a building in Headley (Hampshire) variously labelled as a house of industry, a poorhouse, a poor’s house, and a common house noted ‘2 Rules & Order of the House’ to be found in the entrance hall.³⁶ How to understand the rules we can find is, however, problematic. Eden noted on several occasions that poor applicants and paupers ‘have generally a dislike to come into the workhouse’, something we also saw in chapter 1.³⁷ Such reluctance is given vivid embodiment in the reported words of Phoebe Rowlands encountered earlier: ‘I was at first ordered to send Phoebe Rowland and Child to the Workouse but she begged so much not to be sent – and promised if the Town yielded to her request that after she was past her confinement she could and would support herself and children.’³⁸ Such sentiments developed not least because of the rules that could constrain the freedoms of inmates: what was worn and eaten, liberty, work, cleanliness, and family relations. For places such as Carlisle (Cumberland), Manchester (Lancashire) and Gressenhall (Norfolk), where Eden listed the rules to be followed by the poor separately from those that governed the general running of the workhouse, it is not hard to understand such reluctance. Where he made no such distinction, the general rules could be read as very restrictive. Rule number 10 in Carlisle, for instance, appointed a three-man committee to visit the workhouse weekly to hear the ‘grievances of the Poor’, but their room for legitimate complaint was hedged

34 Market Harborough Parish Chest, Agreement between the overseers of poor and Joseph Tilley, 1793, and Regulations for workhouse master, 1794.

35 F. Eden, *The State of the Poor* (London: Frank Cass Reprint, 1966), Volumes II and III.

36 HRO, 57M75A/PO19, Valuation of furniture & clothing at Headley, 1825.

37 Eden, *The State*, pp. 39, 79, 82, 227–8, 616.

38 MRO, M10/809, Letter, 2 January 1836.

with the proviso that ‘frivolous, or unjust complaint’ would be ‘most severely punished’.³⁹ Rules might thus be seen to legitimate petty tyranny, both directly and in their ambiguity of definition or scope.

On the other hand, Eden noted plenty of instances where rules were either not followed or not enforced. When allied with questions of fluidity, transience, and the normative small-scale provision of parish housing stock in many places, it is possible to over-read the reach and import of institutional rules. Moreover, Eden confirms a theme that has become common in the wider literature: when rules for the governance and conduct of masters and matrons or workhouses in general are set against those developed to constrain and shape the conduct of the poor, the lists are always longer for the former than for the latter. At Gressenhall, for instance, the forty-five rules governing the conduct of the institution and its officers must be set alongside just fifteen relating to the conduct of the inmates.⁴⁰ Eden’s survey finds considerable resonance in our vestry minutes, overseers’ accounts, and other sources, where rules and agreements invariably had much less to say about the poor than about the responsibilities of contractors, masters, and others, both to the poor and to the wider ratepaying body. Thus, when the parish of Romsey sought to appoint an assistant overseer and governor of the poorhouse on 20 April 1826, the prospective candidate was expected to sign up to sixteen rules, including the wonderful catch-all ‘That he shall conform to any other rule or Rules the Select Vestry may from time to time find it expedient to add, in the better management of the poor, and the benefit of the Parish’.⁴¹ Just as Eden traced the stories of farmers and others dismissed for failing to follow rules about diet, work, or clothing,⁴² so our own data provides a compelling sense that the fluidity of parochial arrangements was at least partly related not to economics but to the fact that officers failed to follow the rules specifically set in place to inhibit forms of petty tyranny. Thus, the parish of Eling (Hampshire), having been so careful in drawing up its rules in the 1820s, was by 11 October 1832 resolving that ‘the master and mistress of the Poor House shall be resident in the Poor House and the Regulations of the House be revised and laid before a future meeting previous to the appointment of persons to the office’, the previous leeway for officers to live outside the institution having failed miserably.⁴³ While institutional inmates might fear ending up poorly clothed, with restricted freedoms, exploited through work, and subject to all sorts of

39 Eden, *The State*, p. 55.

40 *Ibid.*, pp. 460–68.

41 HRO, 10M58/PV2123, Vestry Minutes of Romsey.

42 Eden, *The State*, p. 90.

43 HRO, 4M69/PV1, Eling Vestry Minutes.

symbolic and process tyrannies, the realization of this potential manifested in different constellations according to time, place, or the character of local officials. The intent of the New Poor Law system was, as we have suggested above, ostensibly very different, and it is to this issue that we now turn.

SITES OF TYRANNY: THE NEW POOR LAW

The New Poor Law had at its heart an articulated 'workhouse system'. The architects did not envisage this system as an extension of earlier parish, town, and city workhouses. Rather it was purposely designed as a national⁴⁴ built environment sitting alongside a disciplined set of rules and regulations impressed on inmates in regard to their processed arrival, treatment, clothing, diet, hygiene, and so on. Local considerations, however, mean that our earlier maxim that 'there were workhouses and there were workhouses', remains important. At the 1881 census the workhouse for the rural Reeth Union (Yorkshire, North Riding) held twenty-five inmates; that for the urban Liverpool parish held 3,117 (with an overcrowded figure of c.5,000 later recorded). Larger workhouses – such as those in Birmingham (Warwickshire), Bristol (Gloucestershire), Cardiff (Glamorganshire), Exeter (Devon), Leeds, Manchester, Oxford (Oxfordshire), and Sheffield (Yorkshire, West Riding) – had extensive buildings and grounds. Their architectural plans speak to pauper segregation and classification. Throughout the lifespan of a workhouse the original boardrooms, receiving wards, day rooms, sleeping accommodation, schoolrooms, dining rooms, staffrooms, stores, and yards would have multiple additions, with stone yards, laundries, infirmaries – and in some cases churches, bakeries, and specialist work training blocks – being added. These were sites with locks, keys, long high walls, long corridors, stairwells, and hallways, and many of them also had fields and gardens.⁴⁵ Some of these curated spaces came with planned panopticon-styled central accommodation/inspection to keep the pauper inmate under the eyes of the staff. The physical buildings, then, along with the rules and regulations, were conceived as a single arrangement by which indoor poor relief was to be managed. Even more than under the Old Poor Law these workhouse estates notionally embodied all aspects of our tripartite definition of petty tyranny.

44 David Green notes London and some other places as laggards in this supposedly national approach: Green, 'Icons'.

45 One of the first New Poor Law workhouses with a corridor running the length of the building was the Greenwich Union workhouse, 1840. Morrison, *A Study*, p. 88. Many earlier incorporation workhouses were also built at scale; Ottaway, 'The purposeful'.

Although the numbers of workhouses themselves decreased over time, their scale – in terms of both planned capacity and actual number of inmates – increased. There are no reliable estimates of workhouse and associated buildings numbers in the last couple of decades of the Old Poor Law, but in 1776 it was estimated that c.2,000 workhouse buildings provided a capacity for around 90,000 pauper inmate places. Under the New Poor Law, the figures for the number of workhouse sites across which tyranny may have been played out are built on firmer ground. An analysis of both the annual reports of the Central Authority and the registers of authorized workhouse expenditure indicates that around 554 unions were building workhouses in the period from 1835 to 1883.⁴⁶ Detailing the changing numbers of English and Welsh pauper inmates is not straightforward, as Samantha Williams has recently suggested.⁴⁷ In 1802–3 some 83,468 ‘inmates’ were recorded, or 11.5% of the overall pauper population. During the early years of the New Poor Law this figure grew to 192,000 pauper inmates (17.3%) but then fell to 114,000 (12.1%) in 1841 and for both census years 1851 and 1861 (when the inmate population stood at 108,000, or 12.2% of the pauper population). By 1871 there were c.140,000 (13.5%) inmates, though the composition of that population had in some places changed radically since 1834. As the New Poor Law came to a close, the proportional figure increased. In 1911 indoor relief numbers stood at 275,000 (30%), and even in 1921, with the Liberal Welfare Reforms then completely embedded, the figure was c.193,000 (30%). Turnover of workhouse populations was of course more significant,⁴⁸ but these are in themselves significant numbers. Even so, it is clear that the fear of tyranny that we began to identify in chapter 1 was disjointed from the real risks of seeing the inside of these sites, either at any point in time or over a lifetime of dependence.⁴⁹

CASUAL AND PETTY TYRANNY: THE WORKHOUSE ESTATE

The reputation of the workhouse as a physical space of tyrannical incarceration was set early in the New Poor Law. The architects of the 1834 Act

46 Williams, *From Pauperism*, p. 220, calculated a figure of 548, which was arrived at by adding the ‘Certain’, ‘Very Probable’ and ‘Possible’ union builds indicated in the reports. A similar figure, calculated at 554, was arrived at by Driver, who later examined the registers held at TNA in series MH 34; Driver, *Power and Pauperism*, p. 79.

47 Williams, ‘Poverty, gender’.

48 Williams, *From Pauperism*, pp. 158–9.

49 A point also made well by Heritage, ‘Poverty’.

believed that the function of disciplining the poor (both their minds and bodies) was expressed in the design and construction of the workhouse itself (figure 2.1).⁵⁰ The size of the workhouse site was undoubtedly a part of this, and the workhouses under the New Poor Law were, in comparison to most earlier iterations, very large. They were, as one anonymous analyst of the 1860s commented, one of the four large buildings usually seen in any county town.⁵¹ As figure 2.2 shows (overleaf), the scale of the Liverpool workhouse site mirrors that of a small market town. In turn, these physical complexes provided many more spaces (whole buildings and the spaces within them) in which petty tyranny could occur compared with the normative Old Poor Law institution.⁵²

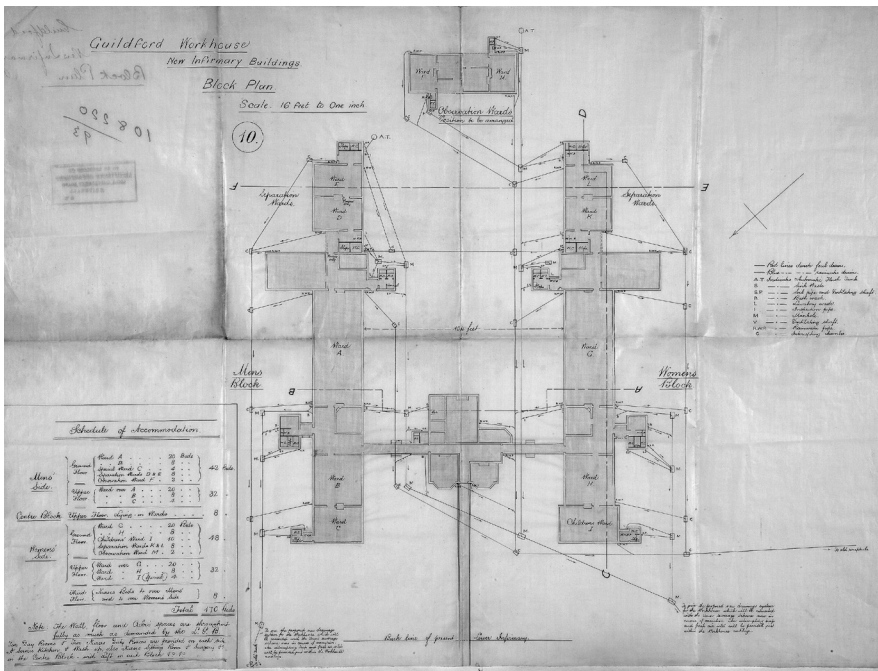


Figure 2.1. Guildford workhouse infirmary plan, 1867–1900.

⁵⁰ Longmate, *The Workhouse*, p. 13; Crowther, *The Workhouse System*, chapter 2; Englander, *Poverty*, p. 21.

⁵¹ The others being the mansion, the house of refuge, and something mimicking a castle or fortress (being, respectively, a county asylum, a sick hospital, and a prison). Anon., 'The English Bastille', *Social Science Review*, 3 (1865), p. 193.

⁵² Though see Ottaway, 'The purposeful', for elaboration of complex room infrastructures in Norfolk workhouses.



Figure 2.2. Liverpool workhouse, 1931.

Some sense of the meaning and potential of this built environment for tyranny can initially be seen in the 1842 case of James Miles. He was the workhouse master at the Hoo Union (Kent), and he was tried and convicted at the Kent Lent Assizes for having beaten a number of young female inmates between the ages of eight and fifteen some two years earlier. There was a clear indication that Miles experienced some sexual pleasure in the floggings, in which the girls were stripped to the waist. Indeed, he ‘turned up the clothes below’ before he began the beatings. He was eventually found guilty of assault and sentenced to six months’ imprisonment. The case was widely reported in the press, and it and other similar occurrences undoubtedly materially fed into the already-established view of the workhouse as tyrannical.⁵³ Even so, Miles was able to secure support post-trial from the mayor of Rochester and several magistrates and guardians because the act of corporal punishment was not in itself illegal at this juncture (although the rules of the PLC forbade the corporal punishment of girls). For our purposes, the wider evidence about the workhouse estate is important. At the trial, one of the beaten girls, Sarah

⁵³ *Weekly Chronicle*, 10 January 1841, pp. 9–10.

Barnes, gave evidence that one of the beatings took place in ‘the parlour’ while a second, meted out to both Barnes and fellow inmate Charlotte Barton, saw the latter girl ‘laid on the ironing board’. These descriptors clearly identify the domestic internal workhouse spaces in which the beatings were carried out. Barton and Eliza Screease both stated that they were beaten on several occasions in the women’s hall. Other evidence includes that of Frances Roberts, who left the workhouse in May 1840. She confirmed Screease being flogged on the table in the women’s hall. Roberts also said she saw fourteen-year-old Mary Paste flogged in the workhouse laundry, and young Jemimah Danes in the nursery. Such evidence provides a clear sense of how knowledge of tyranny could magnify way beyond the instances we can count.

While Miles might have been an extreme case – operating across the boundary of petty tyranny and illegal abuse – we can see that individual workhouse spaces provided significant options for tyranny by person, conflict, and process in particular to be repetitively perpetrated, in line with our tripartite definition of the term. Thus, in 1840 John Stokes, porter at the Kidderminster workhouse (Worcestershire), tied six-year-old James Perks, one of the inmates, in a sack because he wet the bed. Perks was discovered by Charlotte Guest, a fellow inmate, who heard a noise and

went into a Room called the Tool house which adjoins the Entrance Hall of the Workhouse, the Door was open. I went in I saw a Bag apparently with something in it hanging up on a pair of Steelyards the bottom of the bag being about a yard from the ground – I said “Perks” and the little boy answered – I asked him who put him there – he said the Porter – with that he began to cry.⁵⁴

The ‘Tool house’ appears to have been a little-used room and somewhere that Stokes thought the boy would not be found in the short term. Guest described the bag as ‘a dirty Potato bag’. Taking into account the presence of steelyards, it appears likely the room might have been used to weigh foodstuffs and other goods coming into the workhouse, and it was a miscalculation on Stokes’s part that no one would go into the room before he planned to release the boy.

We know little about these liminal workhouse spaces, but the case of Ann Hodgkinson saw tyranny perpetrated in an area more susceptible to open scrutiny. In January 1851 Hodgkinson, an inmate of the Nantwich workhouse (Cheshire), was pregnant. While sitting in an armchair doing some sewing in the lying-in ward alone, she was joined by Mr Wilson, the workhouse

54 TNA: MH12/14017/116, 10586/B/1840, Witness statement of Charlotte Guest, Kidderminster workhouse inmate, to the PLC, 7 September 1840.

chaplain. He asked where the nurse was, and Ann informed him that she had gone elsewhere to see to some of the children. Ann, who had suffered with an abscess on one of her breasts, was asked by Wilson 'if my Breasts were any better'. When Ann answered yes, she claimed that he

put one hand on the Chair and the other on my breast – I said he hurt me; he then took hold of my arm and pulled me up and stood behind & put his arm round on my breast, and then round my waist and then under my Belly, and pressed me to him – I struggled, or wrung myself from him, before which he tried to kiss me – he then left me – he said nothing to me on any other subject, he was I suppose in the room about ten minutes.⁵⁵

Wilson used his status as chaplain and the guise of giving comfort to inmates, which gave him access to all areas of the workhouse, as a tool of assault and tyranny even in this public space. His actions were clearly illegal, but the fact that Wilson could operate in plain sight and expect to get away with it would certainly have enhanced a generalized feeling of the potential for tyranny more widely.

Such tyranny was sometimes practised in the most public spaces of all. In May 1854 James Peacock, who had been employed to shave the men in the Reeth workhouse, wrote to the PLB to describe an assault on a 'poor old Man' named William Swinbank. The man told Peacock that he had soiled his bed and that William Hills, the workhouse master, had come 'into his Bed Room that morning took hold of some of his Bed-clothes and pulled him out of Bed trailed him across the room down stairs into the Men's Day Room – that his head nopped upon the steps when he was being pulled down the stairs'. Hills then continued to drag Swinbank outside and across the yard where he ordered some of the other inmates to take off the man's shirt and hold him up. Hills told one of the inmates to throw a pail full of 'cold water upon the Old mans naked Body'. This was, Peacock reported, 'done in the Open Yard visible to all the inmates in the Union & his own Family likewise'.⁵⁶ The choice of the word naked was an important symbolic signifier in cases of pauper degradation,⁵⁷ and it drew attention to Swinbank's humiliation in front of the workhouse family in an unambiguous (but not illegal) act of tyranny by conflict. That this happened in a rural union is an important reminder that

55 TNA: MH12/1018, 897/1851, Witness statement of Ann Hodgkinson, Nantwich workhouse, to the PLB, 4 January 1851.

56 TNA: MH12/145889/49, 26499/1854, Letter from James Peacock, Reeth, to the PLB, 23 May 1854.

57 Hurren, *Histories of Nobody*, p. 82.

tyranny was largely situational and personal rather than mapping easily onto specific union types.

In turn, this sort of 'moving tyranny' can often be mapped precisely onto workhouse spaces. In December 1865 H. French, an inmate in the Liverpool workhouse, reported that Mr Wylie, a master tailor employed there, had twice assaulted an inmate. Thomas Feerock, the alleged victim, was a man identified as 'a cripple on two crutches' who was first 'beat with a stick when kneeling by his bed', something likely to have taken place in one of the male sleeping wards. Another man by the name of Blaney then knocked Feerock down in the waiting room near to the master's office where he 'dragged him about the floor by the hair of his head'.⁵⁸ In the same month and year, James Molland wrote from Aberdare (Glamorganshire), complaining about the medical treatment he received the previous month as a Merthyr Tydfil (Glamorganshire) workhouse inmate. He was admitted, seen by a medical officer, and then ordered to the infirmary. Molland alleged he was ill-treated for simply requesting a candle to see to take the medicine prescribed by the medical officer. He, and others, were also denied any towels to keep clean or any light by which they might drink their tea, and were even obliged 'to fetch ... water to bathe the wounds the poor men are suffering from' in the dark. Now having left the house, he hoped 'never to fall under such Tyrannical Treatment any more on account of my informing the Master and the board of my intention of making it public on the press'.⁵⁹ The direct use of the word tyrannical is interesting and flags a complex mixture of petty tyranny by neglect, conflict, and person, none of it illegal or even outside acceptable process.

We also find cases outside of the man individual workhouse estates, in subsidiary union buildings. In May 1871 William Mahony, an eight-year-old inmate of the Newport Union's industrial school at nearby Caerleon (Monmouthshire), testified to a beating he received in early March from Mr Bennett, the superintendent of the school. The boy claimed that while he was at the bottom of the school's garden, abutting one of the local fields, Bennett had hit him in the face causing him to fall, after which he kicked him in the ribs. At this point Bennett stopped the assault momentarily but 'then took me to the Greenhouse, and again beat me there'. Why Bennett interrupted the beating is unclear although he might have believed that he would be away from the prying eyes of any adults in the school. Following

58 TNA: MH12/5978, 47719/1865, H. French, Liverpool workhouse, to the PLB, 18 December 1865.

59 TNA: MH12/16333, 45461/1865, James Molland, Aberdare, to the PLB, 4 December 1865; reproduced in *The Merthyr Telegraph and General Advertiser for the Iron Districts of South Wales*, 23 December 1865, p. 4.

this second assault the now-bloodied Mahony was ordered to wash his face in water from a nearby dung heap. The scene was in fact witnessed by several other children and by one of the school gardeners, all of whom later testified at an investigation into the assault. While the beating itself is indicative of the casual tyranny that young inmates faced, the case was in fact initially hidden from the Newport (Monmouthshire) guardians themselves. Mary Mahoney, the victim's sister and a fellow inmate, stated that she left the school without permission on 11 March and reported the beating to two local poor law officials, telling them that she 'wanted to see the gentlemen [guardians] to tell them about it'. Bennett appeared, however, and ordered Mary back to the school where Mrs Bennett, the superintendent's wife, locked her in her bedroom. One of the female industrial trainers later removed Mary's clothes (presumably to stop her leaving again) and the girl was held there for five days. Nevertheless, news of Mary's visit to the workhouse did reach the local guardians. Indeed, James Brown wrote from the town in the aftermath of the local investigation into the case praising Mary for 'her heroic conduct' while criticizing the conduct of both Bennett and the local board, who had allowed the investigation's report to 'lie on the table' (a further act of petty tyranny) even though the substantive issues had been accepted. Brown's contention that (at least) some of the local guardians were apparently protecting Bennett's tyrannical activities reminds us both of the support some local dignitaries gave to James Miles earlier in this chapter and of the layers of self-supporting oppression inmates might face.⁶⁰

Nor should we forget that certain workhouse spaces were regularly used by officers and staff to create situations in which they could legitimate punishment because of confrontations with paupers – a clear signal of tyranny by process and person. In April 1895 Thomas Spicer, a pauper inmate at the Bethnal Green workhouse (Middlesex), was brought before Mr Lane at the North London Police Court for talking after being ordered to be silent during the evening meal in the dining hall. The case was reported in the newspapers under the title 'Tyranny of Silence'. The charge was one of 'refractory conduct', the allegation being that when told to be silent Spicer shouted, 'This is a workhouse, not a prison'. Cautioned by the workhouse master, who Spicer then threatened 'to do for', he was taken into custody. Mr Lane, the magistrate, appeared somewhat mystified by this narrative. 'Do you mean to say that the paupers must take their tea in dead silence?' to which both the porter and master, who were presenting for the union, replied that this was the norm.

60 TNA: MH12/8102, 15990/1871, Witness statements of William Mahoney, Mary Mahoney, and Alfred White, Newport Industrial School, to the PLB, May 1871; and MH12/8102, 22219/1871, Letter from James Brown, Newport, to the PLB, 20 May 1871.

Lane suggested that paupers talk in a reasonable tone, to which the porter responded that 'all the discipline in the house would disappear if we allowed talking'. In concluding the case Lane stated to Spicer that he must obey the officials; their actions were within the scope of normative process. However, he discharged Spicer, claiming that 'I can't see that this man has done anything particular'.⁶¹

Instances like these embody and capture all three elements of our tripartite definition of petty tyranny. Thus, in November 1903 Frederick Pavey was charged by the guardians of the Paddington Union (Middlesex) with refractory conduct while a pauper inmate. Bertram Cayzer, workhouse attendant, stated to the Marylebone Police Court that Pavey had been brought before him at 7 p.m. the previous evening by the porter. The porter said that he had taken a bottle of rum from Pavey, struggled to get him into the receiving ward, and that Pavey refused to go to bed. Mr Plowden, the officiating magistrate, took a somewhat quizzical view of the case. He asked Cayzer if there was any regulation about the time a pauper was to go to bed and Cayzer replied that there was: if a pauper returned to the workhouse (Pavey had had a day's leave) before 8 p.m. they were made to go to bed. 'The moment they return?' enquired Plowden, to which the attendant agreed: 'We put them to bed for peace and quiet.' At this Plowden exclaimed: 'Like naughty children! [Laughter.] Did you really put that old man to bed at eight o'clock because he was naughty? [Laughter.] ... Suppose they don't want to go to bed?' Plowden continued:

It sounds to me like the most refined tyranny. I have never heard such a thing. If they all go to bed at eight, when do they go to sleep? [Laughter.] I mean, are they not a little lively at first? You cannot pack grown-up people off to bed before it is dark. It may be the regulation, but I am not surprised people should kick against it sometimes. I never heard anything so trifling.

By this point Cayzer must have been fuming. Plowden's parting shot was to joke with Pavey that although he was unable to 'send you abed', he could send him away, and he discharged him.⁶² In August 1907 Alfred Webb was brought up on a charge of refractory conduct while an inmate of the St Pancras workhouse. Described as 'a weakly-looking old man of 75 years', his case was also heard before Mr Plowden. William Saxby, the ward superintendent, accused Webb of failing to complete his task of work – in this case unpicking 4 lbs of oakum. Taking his cue from the man's age and appearance, Plowden

⁶¹ *South Wales Daily News*, 1 May 1895 (3rd edition), p. 2.

⁶² *Evening Express*, 11 November 1903, p. 3.

asked if any distinction was made between older and younger inmates in regard to the tasks given. Saxby stated there was none: a clear signal of tyranny by process, neglect, and inaction. Plowden suggested it would have been humane to make a distinction, presumably by assigning less arduous tasks to elderly inmates. At this point Saxby changed tack somewhat, claiming that if he did a fair proportion all would have been well but that Webb had then used bad language towards him, to which Plowden counter-claimed that the language would probably not have been used if the task was more reasonable. Before dismissing Webb with a caution, Plowden suggested the 'red tape in this establishment might have been a little unwound'.⁶³

The workhouse building was also, paradoxically, a place and space of tyranny for *non-inmate* paupers, even well into the New Poor Law period. In January 1893, for instance, a deputation of the unemployed attended a meeting of the guardians of the South Shields Union (Durham). The unemployed men were working four days a week in the workhouse stone yards and now asked to increase their working days from four to six but to have shorter hours, starting at 10 a.m. rather than 9 a.m. Part of the men's rationale for the request was that they attended the various employers in Jarrow and Hebburn to get work each day. Having to be at the workhouse for stone breaking for 9 a.m. meant that they were often unable to see the foreman to secure renumeration work. They were willing to have their dinner break reduced to help make up the time. Despite the request being a reasoned one, the guardians casually refused the men, closing off their options for paid work.⁶⁴ This example of tyranny by process punctuates the whole poor law period and almost every union for which we have records. Like other forms of petty tyranny, it would have gained traction in wider community knowledge, a matter to which we now turn.

A REPUTATION FOR TYRANNY?

Most relief applications after 1834 were for some form of out-relief. Even the most basic and rundown homes of poor people were often regarded by them as being preferable to the workhouse, as was also the case under the Old Poor Law.⁶⁵ Under both systems, families went to significant lengths to retain domestic residence and (as we saw in chapter 1) regarded forced movement to institutions as an act of tyranny by process. Throughout our period, independent living was a currency. After 1834, however, two aspects

⁶³ *Daily News* (London), 24 August 1907, p. 3.

⁶⁴ *Jarrow Express*, 13 January 1893, p. 5.

⁶⁵ See Carter, 'Joseph Bramley'.

of the union workhouse took on notable power: the way in which rumour about tyranny spread in the localities that such workhouses served;⁶⁶ and the particular reputation of the various categorization and separation regulations by which families were broken up when they entered the workhouse. Socially unpopular, family separation was considered a key plank of the strategies of workhouse discipline and relief deterrence, and the Commissioners believed that a man who had given up on his obligation to provide financially for his family had forfeited his right to be with them.⁶⁷ The poor agreed it was a disciplinary act, and its identity as an aspect of tyranny by process rapidly fanned out into the information ecology of the locality, though we should remember that family breakup and separation (often via forced apprenticeship from the workhouse) was also a feature of the pre-1834 system.⁶⁸

Complaints against separation can be traced back to the beginning of the New Poor Law. An unnamed couple living at Hatton Gardens (Middlesex) in 1837, both of whom were ill, 'expressed their determination not to enter the workhouse and said that after living together for 33 years, would rather die in their present condition than be separated in a workhouse'.⁶⁹ We see the various points made in this thirty-word sentence expressed in hundreds of similar accounts – stories that echo down the poor law archive decade by decade. A more detailed account can be found in the case of Samuel Curtis. John Champ wrote to the PLC from Lyme Regis (Dorset) on behalf of Curtis and his (unnamed) wife. The husband, aged sixty-seven, was sick and experienced a 'cough and [was] spitting Blood'. He had had no work for the previous two months. He applied for temporary outdoor relief at the beginning of February 1839 and would have been satisfied with only 2s 6d per week as the couple expected him to return to health in the spring. In fact they were offered the workhouse 'but owing to the separation clause and thinking he would soon get better' they refused. Mrs Curtis travelled 'five miles on a cold Rainy day' to attend the next board meeting with a medical certificate to explain his

66 See TNA: MH12/14727, 9455/50, Letter from William Chadwick to the PLB, 6 March 1850, where Chadwick notes that he refuses to go to the workhouse because they would 'put me to Death as they did to Joseph Indil that Man and a little Boy was Murdered Booth on one Night'.

67 The PLC insisted on strict separation of the sexes in all cases: Brundage, *The Making*, p. 95. According to Crowther, *The Workhouse* (p. 42), 'nothing caused more public hostility than the separation of married couples in the workhouse'.

68 The marriage separation clause quickly became a part of Chartist agitation from the late 1830s: 'Those whom God hath joined together, let no devil of a Commissioner put asunder. If the paupers and the poor rates are to be Commissioned, so should the land and the landlords.' Driver, *Power and Pauperism*, p. 124.

69 *The North Wales Chronicle and Advertiser for the Principality*, 28 May 1839, p. 4.

complaint. Here, as a further example of the gatekeeping explored in chapter 1, she was sternly refused access to the guardians to plead her husband's case. The couple's refusal to accept the offer of the workhouse 'owing to the separation clause' is significant; the local officials must have been secure in the knowledge that this sort of refusal would be common and hence the offer of the workhouse was a clear act of petty tyranny.

Similar sentiments can be found in letters from the poor, such as that of Edward Hill, a former sailor living at Kidderminster (Worcestershire) in 1849. As a Greenwich pensioner allowed 10½d per day and having 'Got so old and Infirm that I cannot labour', he was unable to maintain himself and his wife. They were compelled to seek relief and were given an order for the workhouse. He asked the PLB to intervene: 'Sir I am Now in My 69th year of age and My Wife in her 67th year and the Gentlemen wants to part us that have been So Many Years toiling in this World together and Now for to Seperate us will Cause Us both Great Greaf.'⁷⁰ The reference to military service illustrated his respectability. A further reference to a long life 'toiling ... together' would for Hill cement that respectability, signalling a life of sustained contribution that meant his letter demanded a reading and making the petty tyranny he faced all the more egregious.

A more generalized account, with a narrative of a family seeking charitable help to ward off an order for the workhouse, is found at rural Abernant (Glamorganshire) in September 1843. There, at a meeting of 'farmers and others' it was reported that most locals had ingrained views against the New Poor Law and that many (again) would rather starve than enter the workhouse. A case was reported of a poor family that repeatedly applied for out-relief but was ordered to the workhouse. The family rebuffed the offer and lived on the charity of neighbours.⁷¹ This example moves us from the strictly 'husband and wife' separations of earlier cases to the wider family separations that took place on entering the workhouse, where whole families might be atomized to their social collective detriment – something that was simultaneously legal but tyrannical. For example, John Bacon wrote to the PLB from Arnold (Nottinghamshire) in 1848 asking for advice about his family. He stated that his fourteen-year-old daughter was blind and that 'I have had to do for her myself which I did with pleasure while I was able'. For Bacon this ability was coming to an end. His daughter was now a grown teenager and unlikely to be able to contribute easily to the family finances, John himself suffered from indifferent

70 TNA: MH12/14019/409, 21408/1849, Letter from Edward Hill to the PLB, 18 July 1849.

71 *The Welshman*, 1 September 1843, p. 2.

health, and his income as a stocking weaver had fallen to around 6s per week. He had applied for out-relief but the

Authorities will not allow me any relief for her, she belongs to the Parish of Alfreton in the Belper Union Derbyshire, Unless we all go into the Union house *and we should not like to break up our home* [our italics] and go into the house, we only want a little relief for the Girl. Hoping Gentlemen, you will take our case into your consideration.⁷²

Bacon's letter exhibited both his love and his fear for his blind daughter after fourteen years of care. The stakes were high for the family, and if his request was refused, Bacon would have known that a segregated workhouse – where his role as father and provider would disappear, and where his blind daughter would have no family protector – would lie ahead.⁷³

The poor's detestation of this aspect of the workhouse was understood by local relief officials and others involved in charitable or poor law management. In December 1857 Mr T. Viccars attended a ratepayer's meeting in Leicester (Leicestershire) and explained that the town and the surrounding areas had seen a great deal of distress. Those who conversed with the poor and heard their calls for assistance, he argued, were convinced that many were almost starving. Viccars had stated to many of them: 'Why, you must apply to the Board.' The poor responded that to do so would invite the workhouse and that their homes would be broken up forever. Viccars claimed he 'had gone into the homes of the poor, and had found that they would rather die than go into the workhouse' – a clear signal of the way that knowledge of tyranny by process fanned out into the community.⁷⁴ The Reverend Kendal gave a similar account at a Church Pastoral Aid Society public meeting in Bedford (Bedfordshire) in 1863. He spoke of the distress across the manufacturing districts, particularly of those employed in cotton manufacturing.⁷⁵ Kendal described the work of some of the committee tasked with providing relief:

Whole families were found lying on straw with nothing to cover them; and no furniture in the house – all the furniture had been sacrificed for food. They were asked, why did you not apply to us for help? The answer was that they had been struggling and enduring, thinking that a better state of things

72 TNA: MH12/9245/96, 25337/1856, John Bacon, Arnold, to the PLB, 19 June 1856.

73 For the challenge that workhouse residence posed to masculine notions of fatherhood, see Doolittle, 'Fatherhood'.

74 *Leicestershire Mercury*, 12 December 1857, p. 8.

75 For the cotton famine: Hollen-Lees, *The Solidarities*, pp. 233–7.

would soon come and they would be able to manage without asking for relief of the committee or going to the parish; that they would rather die than go into the workhouse.⁷⁶

In November 1878, in reports of distress around Salford (Lancashire), R. Dearden, a Salford councillor and local guardian, stated that the workhouse had never been so overcrowded. Furthermore, Dearden testified that the ratepayers were paying school fees for 4,800 children and that the parents of these children were not paupers and 'would rather die than go to the workhouse for relief'.⁷⁷ Such phrasing abounds across the corpus and takes us deep into the psyche of the English and Welsh poor under both Old and New Poor Laws. Thus, when Seth Grainger died in Tipton Green (Staffordshire) in 1885, an inquest ruled it was by 'Natural causes, accelerated by want of proper nourishment'. Grainger was blind following an accident in a coalmine twenty years earlier. The family – husband and wife plus two children – were living on the inadequate relief sum of just 2s 6d weekly. Returning to the house one day Grainger's wife found him desperately ill. She urgently sought a doctor but attested that the first was not at home and that the second simply refused to attend. On her return home, Seth had died. The jury was told how Seth generally lived on tea and 'a bit of bread', and that when he had been found he was 'lying in a miserable attic, utterly devoid of furniture and bedding'. One of the jury men stated it was a clear case of starvation; another said: 'There were lots of people in the parish like the deceased, who would rather die than go into the Workhouse.'⁷⁸

Cases like this continue as a spine throughout the later New Poor Law and across all types of union. At Newport in 1900, a coroner's jury inquired into the death of seventy-four-year-old Thomas Priest. It heard of the 'poverty and dirt' that characterized the house Priest shared with his wife. The couple were in receipt of 5s poor relief weekly, although it was considered that his widow, after the inquest, might be offered only the workhouse. Mrs Priest contended that 'she and her late husband would rather die under a hedge or be hanged than go into the Workhouse'.⁷⁹ In early 1908 it was reported that Mrs Emmanuel and her three children were found almost dead in their home in Birmingham. The family were in distress and had received charitable grocery notes from St Jude's Mission. As neighbours had not seen them for several days, the police were called and forced the door to find all four in bed: two

76 *Bedfordshire Times and Independent*, 20 June 1863, p. 5.

77 *North Briton*, 30 November 1878, p. 6.

78 *Wolverhampton Express and Star*, 28 August 1885, p. 4.

79 *The Cardiff Times*, 1 December 1900, p. 2.

unconscious and all exhausted by cold and hunger. Like many of the cases reviewed here, the mother had previously stated that she would rather die than go into the workhouse.⁸⁰ These sentiments amounted to more than the characterization of forced residence as tyranny that we encountered in chapter 1, and the generalized reluctance that we see under the Old Poor Law. Rather they speak to a structural knowledge and fear of the processes that would segment and contain the lives of all family members once living in the New Poor Law workhouse. The latter were designed as sites of psychological deterrence and discipline and publicized strongly as such, reinforcing the expectation of petty tyranny and emphasising its latent potential from the first moment of entry to the institution.⁸¹

CONCLUSION

While it is possible to exaggerate the shifts in the nature of workhouse estates and fabrics between the Old Poor Law and the first decade of its successor, there is less doubt that what a workhouse ‘was’ became much more clearly defined. The ‘unknowability’ of navigating extremely fluid and unpredictable provision at parish level under the Old Poor Law was replaced with gripping certainty by the 1840s, as a firm and unyielding body of knowledge about the workhouse as a place, fabric, and estate rippled out into the community. While workhouse-like institutions could certainly be contentious under the Old Poor Law, their fleetingness probably mitigated against a body of current knowledge as opposed to keen memory. Paupers under both systems objected in principle to institutional confinement and care, with independent living a clearly elaborated currency for the poor and their advocates and forced residence a matter of tyranny by process. For some poor applicants under the Old Poor Law this characterization shaded into tyranny by person, as they argued that they had been particularly targeted for the tender mercies of institutional care. Under the New Poor Law the offer of the workhouse was normative, and here the objection was more than one of principle. Rather, it reflected a clear sense of both the way in which the rules – standardized rules rather than the fluid amalgam of the Old Poor Law – governed their admittance and that residence could and did lead to tyranny. Many would perhaps have agreed with the characterization of Sir George Crew, who wrote in 1843 of the aged poor being swept up from their parishes ‘like a heap of cast-off, worn out

80 *Morning Leader*, 6 February 1908, p. 3. Boyer, *The Winding Road*, p. 195, points to a greater take-up of old age pensions than expected in 1909 as many poor previously relied on friends, relatives, and charity.

81 Driver, *Power and Pauperism*, p. 59.

tools, to be buried alive in the solitude of the workhouse'.⁸² We have argued that the potential for tyrannical practice in the institutional spaces of the Old Poor Law was wide, but that the shallow commitment of many places to the institutional response and a variety of agential practice and tensioning mechanisms provided practical limitations to its breakthrough. There were prevention mechanisms under the New Poor Law too, and the next chapter revisits questions of external scrutiny and control under both systems. But post-1834 we have traced a clear palette of petty tyranny that spread across most parts of the New Poor Law workhouse estate. In some cases we can identify specific internal sites of tyranny in a way that is not possible in the pre-1834 records: boardrooms, day rooms, dining rooms, infirmaries, grounds and gardens, greenhouses, industrial school grounds, laundries, lying-in wards, outside yards, nursery parlours, receiving wards, sleeping rooms, staircases, stone yards, tool houses, waiting rooms, women's halls, and work rooms. Little if any part of the New Poor Law workhouse was free from the potential for tyranny, although our stories show clearly that the realization of this potential was often highly situational and rooted in the micro-DNA of local practice. On the other hand, the fact that tyranny by process, by person, and in other forms was and could be well known in particular localities also provided the basis for the pushback that is the subject of the next chapter.

82 G. Crewe, *A Word for the Poor, and against the present Poor Law, both as to its principle and practice* (Derby: W. Rowbottom, 1843), p. 20.

Frameworks: Centre and Locality

On 5 September 1839 Nicholas Nightingale of Matlock (Derbyshire) wrote to Mr Lefroy at the PLC. Addressing Lefroy as a friend, Nightingale said he was sending ‘the following case, as one which requires your consideration’. The case concerned the forced apprenticeship of children from the workhouse ‘to the principal Occupiers – a Dozen Names are put into A Hat, & the name drawn is Visited with the unfortunate pauper-child who is to be disposed of’. Nightingale also mentioned that he had just been asked in his capacity as a magistrate ‘to Sign the necessary forms to force a poor Boy on a fresh occupier’ but had refused and required the officials to wait on a clarification from the PLC. Nightingale noted that had he been a member he might have ‘persuaded the Board [of guardians] to refuse to continue this odious practice. – [Blatantly] altho’ the overseers seem to fancy that they can send these “Parish Prentices” independently of the Board.’ However, because of the particular constellation of his estate, Nightingale had been assigned to the ‘Belper Union, where we acknowledge no Such practice – I should add that a very large proportion of these poor Parish-prentices run away from their masters long before their Time is out’.¹

This debate over the practice, utility, and consequences of enforced parish apprenticeship will be familiar to everyone who has an interest in the history of welfare.² For the purposes of this chapter, however, Nightingale’s letter is significant for three reasons, given that one of our arguments is that the practical realization of a wider potential for tyranny was the strength and regularity of controls on the individuals and bodies that had or deployed power in local relief decisions. First, in effect, Nightingale raised the question of what the ‘proper’ role of a magistrate should be under the New Poor Law. As we shall see, the 1832 Poor Law Commission and wider

¹ TNA: MH12/1799,7348/B/1839, Letter from N. Nightingale, Matlock, to the PLC, 5 September 1839.

² Honeyman, *Child Workers*; Rose, ‘Social policy’.

public debate in the closing decades of the Old Poor Law was informed by a sense both that officials had lost control of poor relief and that magistrates were failing to carry out the supervisory, investigatory, and controlling role envisaged for them in the Act of 1601. The New Poor Law thus sought to dilute their power, granting a continued role in punishing paupers but only a single *ex officio* voice (albeit a powerful one; Nightingale was sure he could have swayed the Matlock board) among many in union governance and oversight. His letter was annotated at the PLC by a clerk who wrote: 'Defer until E Chadwick returns [L S] 13 Sept'. The fact that here in 1839, some five years after the start of the New Poor Law, a clerk still had to defer a response until he had obtained the opinion of none other than Edwin Chadwick, one of the chief architects of the new law, signals continuing uncertainty about the hierarchies of power that should operate in oversight of the poor law.³ Second, the letter also clearly indicates a sense that, even as late as 1839, magistrates had not got used to limits on the exercising of the individual and collective powers that they had under the Old Poor Law as key officeholders of the British state in its localities and regions. And third, the fact that Nightingale was unable to change anything by his own actions and thus wrote to the PLC as the ultimate arbiter of the practice of petty tyranny – and expected them to act on his information – suggests something of a key change in welfare structures after 1834.

We take up these themes in this chapter, which starts with the question of how 'real' the influence of magistrates as officers of the state in the repression or encouragement of petty tyranny under the Old Poor Law 'was'? The bulk of the chapter, however, focuses on the relationship between the Central Authority post-1834 and the local authorities that it was supposed to control and regulate. We will show (engaging systematically and for the first time in the published literature with the archive of circulars that embodied and conveyed central guidance for poor law unions) that such supervision was patchy and that the confrontation of tyranny was episodic. Local autonomy continued, even though removing it was a central feature of the argument to have a Central Authority after 1834 – something emblemized by the ability of localities to engage patchily with a theoretically uniform requirement to convene and record the work of workhouse visiting committees, one of the key potential controls on the exercise of petty tyranny. This softly sanctioned evasion magnified pauper and advocate expectations of the experience of petty tyranny.

³ For a discussion of Chadwick within the wider context of the extension of government apparatus after 1830, see Brundage, *England's 'Prussian Minister'*.

CONTROLLING LOCALITIES: THE OLD POOR LAW

As we have already seen, the Old Poor Law remained a discretionary and localized system from 1601 through to 1834. There were some efforts at national data collection in the 1770s and 1780s,⁴ again in 1802/03, and more regularly from 1813 onwards, and percolation of that data increasingly allowed parishes, Gilbert Unions, and other incorporations to benchmark their performance against similar units of administration.⁵ Even so, there was no central administration. Nor were there any uniform national or even regional rules or guidance on the form and scale of relief or the remit of welfare over and above the original divisions between the impotent/deserving and undeserving poor contained in the 1601 legislation and the settled/non-settled poor defined in legislation of and from the 1660s.⁶ Against this backdrop, control of welfare practice and spending depended on the balancing systems implicit in a hierarchy of power and responsibility in which overseers were the lowest rung and magistrates (sitting in both petty sessions and Quarter Sessions during our period) were at the top.⁷ Such men had multiple surveillance, monitoring, and rectification roles including

- signing off annual accounts;
- approving parish officers;
- sometimes serving as vestrymen;
- paying significant local rates;
- disseminating changes to the law;
- dealing with examination and removal documentation;
- prosecuting/convicting/freeing those accused of criminal offences against officers and parishes; and
- hearing the (legally enshrined) appeals of claimants, paupers, and advocates where the poor were mistreated by parishes and officers.

⁴ On repairing the patchiness of returns, see Wadell, 'The Rise'.

⁵ King, "In these you may trust".

⁶ Though the widespread adoption from the 1780s of bread scales/allowances in aid of wages (partly inspired by magistrates) begins to approach a national policy even if we have no comprehensive data on its reach and depth. Sokoll, 'Families, Wheat Prices'; Connors, 'Parliament'.

⁷ Ryland-Epton, "The Source"; Marshall, 'The role of the Justice'.

Within this matrix of powers and responsibility historians have paid particular attention to settlement and removal activity, and to the role of magistrates as prosecution agents for a broad canvas of the crimes of the poor.⁸

The particular place of individual magistrates in constraining the potential for petty tyranny on the one hand or giving it free hand on the other remains ambiguous, notwithstanding important regional studies and early surveys.⁹ Peter King has argued that while there were limits to their tolerance and feeling, the striking thing about magistrates operating in their oversight and regulatory functions for the Old Poor Law is that they often sided with the complaints of the poor.¹⁰ Indeed, it has long been suggested in the wider welfare literature that parish officials were so convinced that magistrates *would* side with the poor that they adapted their behaviour accordingly, in effect self-constraining the notional power they possessed over every aspect of the life of paupers and claimants.¹¹ Thus, the early-nineteenth-century Bedfordshire magistrate Samuel Whitbread visited workhouse sites to decide on cases. He also had very specific readings of the law. In October 1813, for instance, he ordered that the overseer of Henlow was obliged to allow Susan Larman to live in the same poorhouse room as her mother and father.¹² On the other hand, magistrates were often of a similar class to major parish ratepayers and sometimes even parish officers, and their capacity for action against the poor for crimes against estates and property was well known.¹³

James Taylor argues that magistrate checks on parish officers were episodic and ineffective, and that the determination of magistrates to control the excesses of unrestrained power was at best personal and episodic.¹⁴ Thus, while Nicholas Nightingale saw it as a Christian and humanitarian duty to oppose forced apprenticeship, he also noted that three of his fellow magistrates from nearby Matlock had recently signed off on the practice as they had been in the habit of doing for years. Across our data, hundreds of justices examined claimants and paupers under the variously constellated settlement laws and authorized their removal irrespective of the intricate family and residential circumstances that the poor and their advocates detailed in their own letters.

8 For this context see Griffin, *The Politics*.

9 Landau, *The Justices*; Moir, *Local Government*; Kent, 'The centre'.

10 King, 'The Rights'. Also Dunkley, 'Paternalism'; and on London, see Green, *Pauper Capital*, pp. 165, 173.

11 Morgan and Rushton, 'The magistrate'; Costello, "More Equitable".

12 A. Cirket (ed.), *Samuel Whitbread's Notebooks 1810–11, 1813–14* (Bedford: Bedfordshire Historical Record Society, 1971), pp. 11, 94.

13 Osborne and Winstanley, 'Rural and Urban'; Osborne, "Unwomanly practices".

14 Taylor, 'The unreformed workhouse'.

More widely, the debate about the role of landed interests (of which magistrates were usually part) in facilitating administrative and local government reform that was ultimately prejudicial to the poor remains unresolved.¹⁵ However we approach the issue, we return to the sense that the realization in the everyday of tyranny as we have defined it was intimately connected with the micro-DNA of the poor law rather than bigger forces of the sort outlined in chapter 1.

Deciding whether we can go further than a conclusion that the role of magistrates in controlling the potential for tyranny ‘was highly personal and local’ is not easy. Though they could have an influence on all aspects of the matrix of tyranny described in the book’s preface, their role was most potent in responding to or facilitating that by process, neglect, and inaction. In turn, magistrates themselves could be guilty of tyranny, particularly at the personal or inaction level. We can get a more systematic overview of their role in these areas through an analysis of the presence of magistrates and their activities in pauper letters on the one hand and in accounts and vestry minutes on the other. The process is difficult when navigating a large corpus because while some search terms are obvious (bench, JP, justice, magistrate), others require record linkage work (e.g. to detect the names of magistrates where they sign as an individual and not as an office holder). Moreover, the activities of magistrates appear much more often than their names or titles, as for instance in ‘orders’ given to parochial officials (which themselves have to be distinguished from orders given to the same officials by vestries) or through words like ‘opinion’ (as in ‘the opinion of Mr Carter is ...’) and ‘pass’ (as in ‘we will ask for Mr Carter to be passed home’). And, of course, since magistrates were central to the settlement examination and removal process, their imprint in these matters was everywhere, such that including this activity would fundamentally skew an analysis aimed at finding the discretionary as opposed to merely the legal or jurisdictional aspects of the justicing role. Figure 3.1 (overleaf) sets out *how* we find reference to magistrates in correspondence by or about the poor in the counties of East Yorkshire, Sussex, Cornwall, Middlesex, Northamptonshire, Hampshire, Westmorland, and Lancashire from the 1790s to the end of the Old Poor Law. Figure 3.2 (overleaf) shows *who* made the references in the same material.

The exercise is less precise than these graphs suggest and, of course, the underlying records relate to many types of dispute between paupers and parishes, but four conclusions about the place of magistrates in the landscape of petty tyranny are obvious. First, while the numbers of letters and writers are

15 Brundage, ‘The landed’. For further important interventions see Mandler, ‘Tories and paupers’; Brundage *et al.*, ‘The making’.

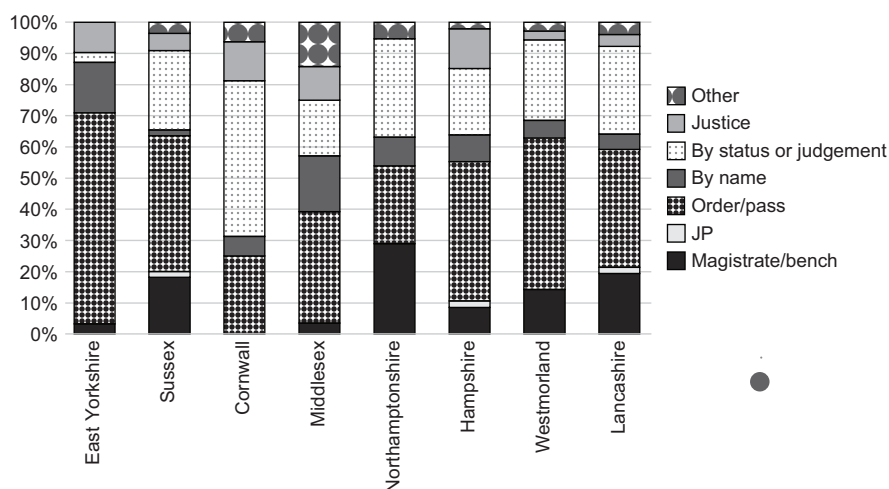


Figure 3.1. The place of magistrates in parochial correspondence. (Notes: excludes multiple references in the same letter; settlement examination cases and the conveying of removal orders are also excluded; 426 cases.)

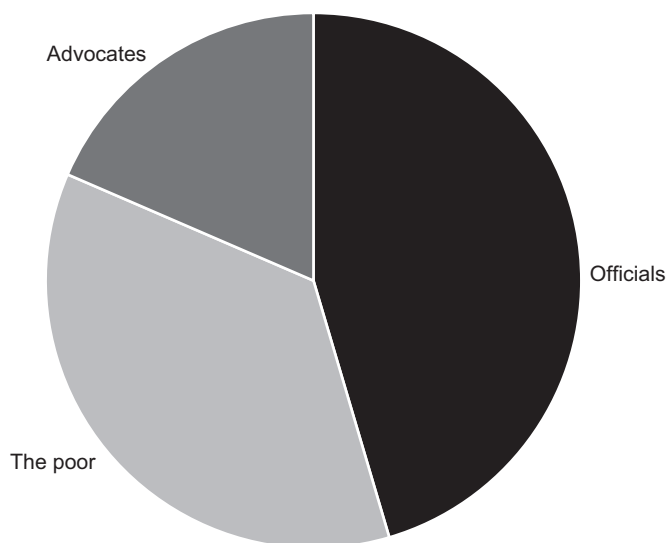


Figure 3.2. Reference to magistrates by different actors in the tripartite parochial structure. (Notes: excludes letters that are an immediate follow-up to a prior text; settlement examination cases and the conveying of removal orders are also excluded; 416 cases.)

significant, they constitute a small fraction of the overall corpus. That is, magistrates and their actions are relatively absent from the immediate negotiation space represented by these texts. We might read this observation in a number of ways, across a spectrum from confirmation that justices had a patchy and episodic, largely personal, involvement with the poor law, through to confirmation that magistrates did not intervene because their prior judgements in favour of the poor had set well-known precedents. The underlying evidence points towards the latter interpretation. Linguistic references to orders and the process of passing someone home were largely rooted in threats by all three types of writer to approach local justices (including from officials' frequent repetition of the word 'our' preceding terms such as 'bench', 'justice', or 'magistrate'), rather than being confirmation that such approaches had actually been made. Thus, when Thomas Bashford wrote to Earl's Barton (Northamptonshire) from St Werburgh parish in Derby on 1 December 1829 regarding Sarah Robins, he 'would beg if you have any mercy in you that you would send the money immediately and not suffer a poor old woman of 74 years of age to die of starvation' or be forced into the local workhouse. Concluding a long invective against Earl's Barton and its sloth, he warned 'if you do not think well to send the money the magistrates here shall be applied to and they will compell mr moody to do something for her for it is impossible for her to be removed and I trust the magistrates will give the poor woman that full support that her case requires but I trust you will save all that trouble and expense to yourselves by remitting the money due'.¹⁶ The money was supplied by return and there is a surprising lack of reference in these sources for any of the counties covered to officials being actually ordered to do something by magistrates themselves.

A second observation, however, is that there was considerable variation between counties (and letter sets within them) in how magistrates and their actions were referenced. In East Yorkshire, for instance, the formality is striking. The vast majority of writers adopted the words magistrate, bench, justice, or the name of an individual magistrate. Such was the case with William Boys, for instance, who wrote from Newark (Nottinghamshire) to St Mary's parish Beverley (Yorkshire, East Riding) on 24 June 1832 and ended with the assertion that 'I have got Advice from A Justice I want Nothing but what is right and Just'.¹⁷ By contrast, Cornish writers of all sorts had a more variegated linguistic register, including both advocates and poor writers who persistently referred to the opinion of 'legal gentlemen', by which, we can learn through cross-referencing the correspondence, they meant magistrates. Once again,

¹⁶ NRO, 110p/138, Earl's Barton Overseers' Correspondence, Letter 9.

¹⁷ EYRO, PE1-702-47, Beverley Overseers Correspondence and Complaints.

this range can support several readings, but the one preferred here is that the place of magistrates in confronting tyranny had a distinctive localized flavour right up to the 1830s. Even so, figure 3.2 shows clearly that all the parties engaged in the tripartite world of parish welfare – officials, paupers, advocates – engaged with the threat or actuality of magistrates and their regulatory and disciplinary functions.

Finally, these figures mask for all counties the (sometimes determined) intervention of individual magistrates and the (equally determined) direct engagement of by the poor. In one sense this should not surprise us. Some parishes and county benches maintained printed pro-formas for complaints to magistrates by the poor and their advocates against parish decisions, examples being found in Soho and St Clement Danes (both Middlesex).¹⁸ The corresponding responses are well captured in the multiple formal orders given to overseers across Middlesex by the magistrate Arthur Robinson Chauvel, who was often irritated by the non-appearance of officials and by their poorly argued cases.¹⁹ Most writers did not, however, use proformas, and we thus garner a sense of the pointed and confident rhetoric often displayed. This is wonderfully embodied in the letter of James Tomblin writing to an unknown ‘you’ who ‘are a magistrate of the city of Peterborough of which place I am a native and to which place I belong’ on 25 October 1833. Tomblin told the magistrate a story of sickness, unpaid doctoring bills, rent arrears, and low pay. These ‘circumstances are well known to many of the inhabitants of Peterborough’ and he had

applied to the overseers personally a few weeks ago and went away under the hope that something would be done for me as I was not positively refused but promised that my case should be considered and an answer sent. I have received no answer – and to come again to Peterborough involves a loss of time and some expense. I have therefore ventured to apply to you.²⁰

Here, then, Tomblin pointed to tyranny by process, inaction, and person. He assumed that the magistrate would intervene and asked specifically (reflecting a narrative that we encountered in the last chapter) that he do so in order to prevent his family being broken up by enforced workhouse residence. His assumption was correct: an order was indeed made ensuring he did not enter a

18 For blank proformas see COWAC, A2250-9 – St Anne, Soho; COWAC, B1344-14 – St Clement Danes.

19 See, for instance, his dressing-down of the Harrow overseer George Hawkins on 1 November 1820: LA, DRO3-F10-1-11-1 – St Mary, Harrow.

20 NRO 325p/193, Thrapston Copy Letter Book.

workhouse. Joseph Head was even more direct when writing from Southampton (Hampshire), about the awful state of his mother, on 13 June 1833. He would not 'see my My Mother Lye and Starve When thare is a parish or I mite say a Magistrate in the town I think it a hard Cause that a poor Woman that has been ill three weeks and nothing to Suport her should starve to feavour any Parish Whatever It shall not be so'.²¹ Magistrates might be equally blunt when dealing with parish officers, as for instance with George Rose, writing to Farnham (Surrey) on 4 November 1814. Before leaving for the country,

Mary New, came to express a hope that I would interpose to obtain permission from the Parish Officers of Milford for herr to retain the infant Child of a Sister of hers who died lately at Lyndhurst receiving an allowance for it of 1s/6d a Week. As the Request appears to me to be a perfectly reasonable One I have no hesitation in expressing a Hope that it will be complied with.

Lest his overseer correspondent be in any doubt about what would happen should action not be taken and the child was deposited in the workhouse, Rose added:

The Law gives a Power first to the parties, and then to two justices to order Relief to poor Persons at their own habitation, and I can hardly conceive a Case more fit for the exercise of such a power than this, but I persuade myself it will not be necessary to call it into Action in this Instance.

He also requested a response: 'Be so good as write a line to me in Old Palace Yard, Westminster'.²²

These are important summative observations and cases. While they do not add up to the systematic use of summonses traced by David Green,²³ the data clearly does suggest that individual magistrates, as the local arm of a state that lacked any form of central management of welfare, could and did control and limit the room for petty tyranny. A further aspect of the data is, however, important when set against this backdrop. Few of the cases that underpin figures 3.1 and 3.2 relate to people in the workhouse, to people threatened with it, or to abuses of workhouse administration. This observation magnifies if we turn our attention to other core sources such as overseers' accounts (where, with careful unpicking, we can discern payments made 'by order'), vestry minutes, and overseers' correspondence books. These confirm the central

21 HRO, 25M60-PO35-1437, Fawley Parish Correspondence.

22 HRO, 31M67-PO33-2, Milford on Sea Parochial Correspondence.

23 Green, 'Pauper protests', p. 159.

lessons of figures 3.1 and 3.2 but also give more prominence to the number of orders handed down by magistrates modifying previous parochial decisions. Such orders could be momentary, for a fixed time period, or (surprisingly often) without time limit. Texts in the pauper letter dataset in which the poor and their advocates sought to enforce the continuation of orders made years before have their analogue in these other parochial sources. The irritation of overseers with justicing interventions is clear. Jeremiah Haley of Horton (Lancashire) wrote to a counterpart on 18 February 1817 to note that Widow Nelson ‘Sommoned me before Two Magistrates for more Relief, and they made an Order upon me to alow her nine Shillings a week which I have Paid her for 3 weeks’. He sought to take revenge asking for ‘your direction what to do in this case her Oldest Child is a Boy and fitt to put out an aprentice and he is her greatest Charge in being with her’.²⁴ A forced apprenticeship would no doubt have been a heavy blow to Nelson, but in the end the further threat of magistrates meant that Haley’s petty tyranny came to nothing. The wonderfully colourful outgoing letter book of the Oundle overseer George Roper similarly charts a sustained engagement with magistrates, multiple orders, and resigned frustration at the curtailment of parochial freedoms.²⁵

Again, however, very little of this magistracy intervention was on behalf of or concerned with the workhouse. And while action appears to have been sustained in various places and at different times, it did *not* amount to the creation or systematic exercising of a formal oversight role of the sort that magistrates had for the inmates of private asylums during this period.²⁶ More than this – and just as we saw with Nicholas Nightingale above – the poor and their advocates could not discern a consistent and straightforward system of supervision. The same was true of officials themselves, as we see in the case of the overseer of Kettering (Northamptonshire), who in November 1835 wrote to Oundle in the case of John Page, for whom he had been obliged to retain a doctor. The unnamed officials would ‘trust therefore to hear from you by return of post authorizing him [the doctor] to continue his attendance’. If not ‘I shall feel it my duty under the New Poor Law Act to apply to the magistrates for their order for that purpose’.²⁷ This misunderstanding of what the Act said about the role of magistrates under the New Poor Law is, on the one hand, testimony to the importance of magistrates pre-1834, but it is also, on the other, a clear demonstration that oversight and control of tyranny (in Page’s case, tyranny by neglect) was haphazard, local, situational, and personal. This

24 CROK, WPR19-7-6-10-8, Kirkby Lonsdale Parish Correspondence.

25 NRO, 249p/216, Oundle Letter Book.

26 Smith, *Private Madhouses*, pp. 11–16.

27 NRO, 249p/216, Oundle Letter Book.

and the absence of the workhouse from much of the foregoing discussion signals that other forms of inspection and control must have been important under the Old Poor Law; chapter 4 takes up this theme. In the meantime, the Act of 1834 established very real mechanisms in relation to petty tyranny. It is to this theme that we now turn.

CONTROLLING LOCALITIES: THE NEW POOR LAW

The control of localities under the New Poor Law was potentially more concerted but also practically hesitant and sometimes timid. The thousands of English and Welsh parishes were swept into the c.650 poor law unions by the 1850s/1860s. Most were created quickly, although some of the metropolitan parishes and earlier provincial incorporations took time before coming under the Central Authority's orbit.²⁸ The establishment of the PLC – the first iteration of the Central Authority – was often represented as an affront to the notion of local government accountability and authority.²⁹ Whereas the Old Poor Law had a light-touch supervision of parochial poor law officers delivering welfare under the eye of local magistrates, the PLC was headed by three senior civil servants (poor law commissioners) based in London with significant powers to devise specific orders and regulations for the delivery of relief, to veto union staff appointments, to initiate workhouse dietary options, and to hold unions to financial audits.³⁰ They had a London-based secretariat, as well as a number of peripatetic assistant commissioners (later poor law inspectors) who supervised unions within a given region, and the activities of whom we revisit in chapter 4. In the early years this inspectorate managed the establishment of individual unions, whereas from the later 1840s onwards it was identified primarily with its inspection and supervision roles.³¹ Parishes retained important duties in terms of settlement, removal, and rating, and they paid only for their own pauper costs within their union until 1865.³²

28 Englander, *Poverty*, pp. 12–13.

29 T. W. Fowle, *The English Poor Law – The English Citizen: His Rights and Responsibilities* (London: Macmillan & Co, 1881), p. 103. Here, Fowle references rhetoric towards the Poor Law Commissioners such as the 'Bashaws of Somerset House', 'unconstitutional', 'tyrannical', 'star-chamber'; among others.

30 Kidd, *State, Society*, pp. 29–30; Miller, 'Feeding in the Workhouse'; Shave, *Pauper Policies*, pp. 68–9.

31 Brundage, *The Making*, chapter IV; Shave, *Pauper Policies*, pp. 170–74; Brundage, *The English*, pp. 69–71.

32 Charlesworth, *Welfare's Forgotten*, p. 64.

Each parish would, within their union and on a ratepayer franchise, elect their guardian or guardians. The collective board of guardians would then oversee the routine running of their union through a professionalized staff.

This was a far cry from the oversight function of local magistrates under the Old Poor Law. As we saw above, the parish–magistrate relationship had been a powerful local–local arrangement, with magistrates seen as independent arbiters, able to judge on what might be deemed tyrannical or unfair acts by parish officers against the poor. As David Eastwood reminds us, the Royal Commission’s report on the poor laws in 1832 had portrayed magistrates as part of the administrative problem, with the result that depriving them of their local political and poor law administrative authority was to be part of the solution. Rather than having the discontented poor appeal to magistrates over the head of the parish officers, it was envisaged that the New Poor Law would – with its self-acting administrative processes, infrastructure based around an increase in workhouse capacity, universal application of the workhouse test, and the overarching management of a Central Poor Law Authority – remove the potential for any such entreaties to an independent local arbiter. The localism that the architects of the New Poor Law found in the Old smacked of parochial prejudice, while the discretion exercised by local officials represented nothing less than structural incoherence.³³ Magistrates found that the criticism of their local discretionary powers peaked in the 1830s particularly in regard to the perception (outlined briefly earlier) that they ‘made’ rather than simply upheld the law in their localities.³⁴ The New Poor Law legislation axed the abilities of magistrates to intervene in individual pauper disputes with local poor law parish officers. Post-1834, and as we saw with the Nightingale example at the start of the chapter, that supervisory voice was substituted for the singular voice of an *ex officio* guardian.³⁵ Magistrates were from this period onwards part of the unions collective voice, with little remaining individual legal power.

With the introduction of the PLC in 1834 and the steady creation and declaration of unions from 1835 onwards, there was a growing objection to the perceived undercutting of local government authority.³⁶ This can be tracked

³³ Eastwood, *Government*, p. 132.

³⁴ Charlesworth, *Welfare’s Forgotten*, p. 144.

³⁵ *Ex officio* guardians were swept away as part of the ‘Democratisation of the Boards’ in the 1890s; see Webb and Webb, *English Poor Law History: Volume 1*, pp. 232–3.

³⁶ J. Toulmin Smith, *Local Self-Government and Centralization* (London: John Chapman, 1851); historians might refer to individual unions as ‘local’ government units, but to Smith, unions, ‘with all their breaking up of local knowledge’, were themselves the Centre, see p. 363; Brundage, *The English*, pp. 73–4; Snell, *Parish and Belonging*, pp. 4–5.

at different periods, showing an often-spiky relationship between centre and locality. In early September 1856 Samuel Trehawke Kekewich resigned as chair of the St Thomas Union (Devon) in protest at the PLB's response to the union's request to reduce the number of their districts.³⁷ Kekewich asserted that their request was made on the basis of deep local knowledge and the almost unanimous agreement of the Board of Guardians. Furthermore, he stated, the decision was based not on any 'mistaken view of economy, nor from any want of proper consideration for the poor', but on the practicalities of running the union. He also stated their request would have no effect on the general orders of the PLB nor impact the establishment of any fixed principles of relief, though he failed to acknowledge the fact that (as we saw in chapter 1) the elongation of pauper journeys to seek relief could be understood as an act of tyranny. Still, at the heart of Kekewich's decision was the determination that the PLB had rejected a 'moderate request' and that their refusal contradicted the 'free and independent action' of the guardians.³⁸ Similar sentiments can be found in a published letter from Septimus Fairles, who wrote from Lurgashall in Sussex to *The Croydon Advertiser and East Surrey Reporter* in 1872. He commented on a spat between the Croydon guardians (Surrey) and the LGB, which he said had by then reached 'boiling point'. The guardians were told not to provide temporary outdoor relief to the able-bodied, who were only to be offered the workhouse. The guardians, said Fairles, responded to this 'cruel and stupid command' with indignation and refusal, and he thought it was refreshing to hear that the guardians were willing to 'go to blazes' rather than submit to the 'tyranny' of the LGB.³⁹ A similar use of aggressive rhetoric can be found in the report of a meeting of the Islington (Middlesex) vestry in the *Islington Gazette* in 1881. They complained of the incessant pressure of the LGB on the Islington guardians to purchase the City of London Union workhouse. The record of the meeting was particularly scathing. Mr Newson stated that 'if the Guardians were always to obey the commands of the Local Government Board, they simply became their nominees, and it was time that the local authority showed more independence'. The dispute had both an individual practical policy element and a broader disagreement about where the line should be drawn over accountability and authority. These were perhaps not unlike the sentiments that parochial officials were often reported as holding towards interventionist magistrates under the Old Poor Law. In this case,

37 Kekewich was a Tory/Conservative MP between 1826 and 1830 and again between 1858 and 1873; Fisher, *The House*, pp. 889–90.

38 *Western Times*, 13 September 1856, p. 6.

39 *The Croydon Advertiser and East Surrey Reporter*, 22 June 1872, p. 3.

the vestry argued that relatives of many elderly workhouse inmates would be happy to take them in with a small allowance. One asked:

Suppose the Board of Guardians determined to resist the Local Government Board, what would happen? Would the heavens fall or an earthquake swallow them up? [A laugh.] He could not understand how it was that Boards of Guardians were so afraid of offending the Local Government Board.

Within that policy disagreement was a wider notion. Islington was not the only local poor law authority 'which suffered from the dictation of the Local Government Board, but the same battle was being fought in other parishes'.⁴⁰ The theme here of course was that the localities objected to interference by the Centre with what they considered their routine (and sometimes) mundane work, even at this very late stage in the New Poor Law's history.

An anonymous letter to the *Hereford Times* in September 1899 links this general observation to an alleged inefficiency in the work of the LGB itself. The letter began: 'It is no wonder we hear great complaints of the extent to which the legitimate work of the Local Government Board has fallen in arrear when so much time is occupied with interference in the detail[ed] work of the different Boards of Guardians.' The writer referred to several instances of petty central interference, including that of a master of an unnamed workhouse who discovered a dozen eggs previously ordered by the medical officer. For some reason the eggs had not been consumed, so the master ordered them to be used in a pudding for some of the elderly paupers. He was later surcharged for 1s, the LGB regulations not allowing for such delicacies to be mixed into the inmates' puddings.⁴¹ This concern that the Centre obsessed on local detail continued to the eve of World War I. In late 1912 the LGB and the Poole (Dorset) guardians had locked horns on the issue of maintaining two relief stations: one at Poole and another at Branksome. The guardians maintained that two relief stations for payments were necessary, while the LGB sought to close one of them to make an efficiency saving. This was undoubtedly related to the number of people using each of the stations. However, to close one would render those furthest away from the remaining station – especially those elderly and infirm paupers for whom the increased journey to collect their allowances might make such collections impossible – more susceptible to becoming workhouse inmates. This analysis would place such paupers

⁴⁰ *Islington Gazette*, 1 November 1881, p. 2.

⁴¹ *Hereford Times*, 23 September 1899, p. 16. The writer concluded that 'after a lengthened and voluminous correspondence the surcharge was at last remitted'.

under tyranny of process. One of the guardians hoped that the union 'would not yet knuckle down to the Local Government Board', citing the difficulty local officers would have without both stations. Indeed, the chairman asserted that if they did 'knuckle down to the Local Government Board' they would lose their current relieving officers in the process. Feeling a sense of unjust assertion by the LGB over local government concerns, one of the guardians claimed, to laughter, that 'as a Board of Guardian's we shall be nonentities if this goes on, and we might as well all resign'.⁴² These local–centre interactions revolve around the ideas of guardians' independent actions, not submitting to the Central Authority, not 'becoming their nominees', and the necessity of showing their independence. The cases examined here – a small set from our corpus – are infused with the frustrations of guardians and union officers arguing with the Central Authority over what might by some be regarded as the minutiae of local government. This matters to our overall scrutiny of practical realization of the potential for tyranny, indicating that relations between the two authorities had in some cases become predicated on mistrust, vexation, and dissatisfaction rather than the oversight of welfare or the enforcement of rules on both staff and relief recipients. Here, imbalances of power were not merely between paupers and local officials but also between different parts of the poor law system, and it is inconceivable that such conflicts did not feed through into more generalized feelings or expectations of tyranny on the part of workhouse inmates and other poor.

Part of the strategic framework by which the Central Authority sought to impose some control over Boards of Guardians was through the development of layered administrative procedures. Our focus in the remainder of this chapter will be on two of these processes and the question of how they might have contributed to the suppression of routine or petty tyrannical tendencies of union officers against inmates. First, we visit the thousands of Central Authority circular letters that provided guidance and instruction to unions and their officers. They covered every subject pertinent to the New Poor Law, including the raising of the poor rate, allocation and mode of relief, medical care, requests for various returns of information, and the conditions in workhouses.⁴³ Second, we analyse the processes developed and implemented by the Central Authority that allowed pauper complaints (including of ill-treatment and neglect) to be brought to light, recorded, and managed by the local

⁴² *Bournemouth Guardian*, 14 December 1912, p. 14.

⁴³ We focus here rather than on the information contained in the various special and general orders and annual reports, as circulars have received almost no attention within the historiography.

authorities. The Central Authority's role was to monitor such complaints and to intervene if local authorities ignored them.⁴⁴

POOR LAW CIRCULARS

The Central Authority carried out its control functions in part by sending circulars, occasionally to individuals but almost invariably to subgroups or sets of people and unions, throughout the New Poor Law.⁴⁵ In the first couple of years of the period, circulars would primarily be sent to magistrates or parish officers. As the new system grew and unions replaced parishes as the most significant poor law local government unit, we see circulars addressed primarily to union clerks (and to Gilbert and local act parishes), assistant poor law commissioners/poor law inspectors, district auditors, union officers, town clerks, and more (parish officers and magistrates continued to be occasional recipients). On the one hand, the Central Authority could use circulars to direct the whole of poor law officialdom to newly passed legislation, to new or amended regulations, or to their own interpretation of a question raised through their general correspondence; on the other hand, they could target a subgroup of the bureaucracy on something very specific to that particular subgroup. Circulars thus formed a major lever for the Centre in directing, cajoling, and ordering local poor law authorities, and indeed other local authorities where responsibilities overlapped. However, we are interested here in how the processes of circular letters being produced, and the system of such letters being circulated, impacted the promotion or inhibition of petty tyranny.

The first of these circulars, produced for the 'information and assistance' of 'Churchwardens and Overseers and the other Officers [in England and Wales] charged with the Relief of the Poor', was dated 4 September 1834 and sent as a reminder that any 'district or parochial officers', including churchwardens and overseers, were to continue administering the poor law – and, therefore, poor relief – in their area until the PLC had prepared and publicized the new rules, orders, and regulations they were then working on.⁴⁶ The letter was to prompt such parishes where select vestries or Boards of Guardians already existed

44 A third major initiative, as we have seen, was the establishment and maintenance of the poor law inspectorate: assistant poor law commissioners, then restyled poor law inspectors and latterly local government board inspectors. This initiative will be examined in the second half of chapter 4.

45 TNA: MH10: Ministry of Health and predecessors: Circular Letters, 1834–1962. This little-used series contains sets of circulars letters, statutory instruments, orders, and other publications issued by the PLC, PLB, the LGB, and the Ministry of Health.

46 TNA: MH10/98, Edwin Chadwick, PLC, to Boards of Guardians, 4 September 1834.

to provide relief, because the provisions of the New Poor Law rendered local overseers unable to act and the poor would find their relief withdrawn.⁴⁷ Notwithstanding the initial circular, a second one, two months later, was necessary to exhort overseers of affected areas to provide relief in the same way as they would have prior to the passing of the New Poor Law. The circular confirmed an observation in chapter 1 of this volume that some overseers had indeed withdrawn from providing relief and had continued to do so – an example of multiple forms of tyranny.⁴⁸ While these early examples of circular letters indicate that the PLC was able to communicate advice to advance (or maintain) paupers' relief, more widely we might characterize the government's action in drafting a bill that meant some paupers lost relief during the initial shift from Old to New Poor Law as tyranny by neglect of proper process. We might also see the production and dissemination of the above early poor law circulars as an attempt to protect those paupers affected. Yet it remains to be seen whether circulars, as a framework of administration, were used routinely by the Central Authority to protect pauper inmates from tyranny by process, person, and conflict.

CIRCULARS: MEANING AND INTENT

Between 1834 and 1914 many thousands of circulars were created and dispatched by the Central Authority, providing a written dataset of relevant information to guardians on how their unions should operate. We have sampled a little under 25 per cent of the bound copies of circulars at The National Archives, the most extensive exercise of its kind ever undertaken. The circulars include regular direct instructions to all Boards of Guardians (such as requests for the returns of numbers of paupers in their workhouse/s) as well as specific permissive advice to the same bodies, such as the 'exceptional unemployment' circular of March 1912 concerning the expected rise in relief applications due to strikes in the coal industry. The circulars also make clear the expectations the Central Authority had that guardians would liaise with other authorities for assistance.⁴⁹

Some circulars specifically stressed the type of treatment that paupers should expect from staff under the New Poor Law. For example, in May 1837 the PLC sent a circular to Boards of Guardians listing twenty-one officers from sixteen poor law unions who were dismissed and disqualified

47 T. Mackay, *A History of the English Poor Law; Volume III, From 1834 to the Present Time* (London: P. S. King & Son, 1899), pp. 158–9.

48 TNA: MH10/98, Edwin Chadwick, PLC, to Overseers of the Poor, 8 November 1834. On these teething troubles, see King, 'Rights, Duties'.

49 TNA: MH10/117, H. C. Monro, LGB, to Boards of Guardians, 19 March 1912.

from serving in any paid poor law capacity in the future. Some cases were relatively vague in their description of the behaviour that led to dismissal. For example, William Whiffen, relieving officer at Camberwell (Surrey), was dismissed for 'Irregularity in his conduct', while John Mutton, schoolmaster of the River Union (Kent),⁵⁰ and his unnamed wife were both dismissed for 'Irregularity of conduct and competency'.⁵¹ Others were dismissed for specified irregular behaviour, such as John Jarvis, the schoolmaster of the Blean Union (Kent), who lost his post through habitual drunkenness and leaving the workhouse in the early hours of the morning; and William Dowson, master of the Hoxne Union workhouse (Suffolk), who was dismissed for being absent without leave for two weeks due to 'pecuniary difficulties'. All such conduct in this particular circular might suggest some relation to the poor and improper supervision of paupers, but some cases were much more obvious. For example, Robert Pool, the porter of St Saviours Union (Surrey), lost his post through drunkenness, disobeying guardians orders, and – significantly for us – improper conduct with a female pauper. The unnamed master of the Horsham Union (Sussex) was dismissed for inattention to the regulations of the PLC and for not preparing the pauper inmates' meals at the proscribed time. Widespread circulated letters such as these not only warned guardians against employing the specific people again, but put poor law authority staff on notice: that they were being watched and that such behaviour would not be tolerated.⁵²

During the 1848–9 Cholera outbreak, the PLB wrote several circulars to Boards of Guardians advising them to adopt a more 'dry and solid' diet for their workhouse inmates. Regardless of their lack of scientific knowledge of the disease itself, they also advised a broad range of measures as suggested by the General Board of Health. Thus, as well as the change in diet, the PLB brought to the attention of guardians the danger of overcrowding and suggested that, for the 'health and safety of the Inmates', the number of workhouse paupers should be reduced 'so far below the proscribed limits as to prevent injury'.⁵³ The clear assumption was that such commonsense measures would not be adopted as a matter of course – an indirect reference to the prospect of tyranny. Over time many circulars were used to remind inspectors, guardians, and their staff of their responsibilities towards paupers. A circular from 1856 directed poor law inspectors that they were, on their biannual workhouse inspections, to

50 The River Poor Law Union was renamed the Dover Poor Law Union in 1837.

51 On the behaviour and misbehaviour of schoolmasters, see Jones, 'Schoolmasters'.

52 TNA: MH10/98, Edwin Chadwick, PLC, to Boards of Guardians, 23 May 1837. The activities of *some* magistrates under the Old Poor Law had, of course, the same effect.

53 TNA: MH10/13, Viscount Ebrington, PLB, to Boards of Guardians, 2 February 1849.

speak to paupers of their treatment. Additionally, they were to receive 'readily' any complaint from pauper inmates. Moreover, they were to question inmates on any suspicion they might form of ill-treatment or neglect.⁵⁴

In 1868 the PLB told Boards of Guardians that they had had reports that visiting committees were not regularly visiting their workhouses, thereby (among other issues) denying inmates the opportunity of raising complaints with them.⁵⁵ A couple of years earlier, in 1866, the PLC sent out a circular encouraging guardians to make sure that workhouse inmates knew to whom complaints were to be directed.⁵⁶ A final example, from May 1873, was designed to remind union staff of responsibilities towards their young ex-inmate paupers. Here, the LGB wrote to Boards of Guardians to prompt their relieving officers to visit young people who had left the workhouse as a bound apprentice or for paid employment as a servant. Their relieving officers were expected to provide reports to the guardians on such ex-workhouse inmates. These reports were to state 'whether he has found reason to believe that such young person is not supplied with necessary food, or is subjected to cruel or illegal treatment in any respect'.⁵⁷ The circular was produced as there had been some confusion over what constituted employers' 'cruel or illegal' behaviour. In answer, the LGB stated that where a relieving officer saw anything that pointed to something 'injurious to the personal condition of the child as to amount to "cruel or illegal treatment in any respect"', the officer was to make a 'special inquiry' and compile an official written report. Such text might read as rather tautological, but there is no doubt the LGB was giving guardians and relieving officers a broad scope to intervene, and expecting that action be taken in the case of different forms of petty tyranny.⁵⁸

For a short period, from 1840 to 1851, the Central Authority had selections of general correspondence along with their answers, PLC minute extracts, copies of circulars and orders, notices from other government departments, extracts from relevant new legislation, and copies of assistant commissioners' and inspectors' reports reproduced and printed as 'An Official Circular

54 TNA: MH10/20, PLB to all Poor Law Inspectors, 12 November 1856, enclosing instructions to assistant poor law commissioners, 13 January 1847 (from where the quote is taken).

55 TNA: MH10/32, PLB to Boards of Guardians, 6 July 1868. On visiting committees more generally, see Carter, "I never mentioned", *passim*.

56 TNA: MH10/32, H. Flemming, PLB, to Boards of Guardians, 27 September 1866.

57 Julie-Marie Strange's detailed review of the working lives of relieving officers suggests why this sort of work might not have been routine: Strange, 'The relieving officer'.

58 TNA: MH10/37, John Lambert, LGB, to Boards of Guardians, 31 May 1873. The circular is a reminder of an earlier circular, dated 26 June 1851, and covered similar ground.

of Public Documents and Information' under the direction of the PLC and PLB.⁵⁹ The commission initiated the publication of the Official Circular as they had been advised that 'a more frequent and complete promulgation of such information as that communicated in the Circular Letters, or the Annual Reports and their Appendices' would be useful to local paid and unpaid officials. With specific reference to their circular letters, it was complained that they might appear unexpectedly and be read out at meetings where attendances were low, or when guardians that would take the greatest interest in the subject of any specific circular might be unavoidably absent.⁶⁰ Like Central Authority circulars, the Official Circulars highlighted (and in effect contested) tyrannical acts against pauper inmates that came to their attention. Thus, we find in the Official Circular of December 1840 that the PLC was informed that several unions had insisted single mothers of bastard children, or unmarried pregnant women, were in some workhouses compelled to wear clothing of a particular colour to mark them out as dishonourable females. The commissioners stated, under the heading 'Illegality of the Infliction of Punishment on Unchaste Women', that the workhouse was not 'intended to serve any penal or remuneratory purpose; and it ought not to be used for punishing the dissolute, or rewarding the well-conducted pauper'.⁶¹ The unambiguous dissociation of workhouses from prisons in this text stands in distinction to popular (and sometimes local official) elision of the two that we have already seen in earlier chapters. Later, in March 1843, the Official Circular reprinted a letter from the Blean Union (Kent) that questioned the legal and practical ability of overseers to provide relief in cases of sudden and urgent necessity. The Blean Union argued that their auditor had received a communication from the PLC to the effect that the guardians had the right to refuse such payment. The PLC answered that relief given by overseers in such cases was to be reported to the guardians via the relieving officer. However, they stated that although the guardians might refuse to sanction the correctness of the relief given, this would not render the relief liable to be disallowed as the overseer was empowered, indeed compelled, to provide relief in such cases that they considered 'bona fide', by statute and not simply under the authority

59 The Official Circular was republished in two volumes as *Official Circulars of Public Documents and Information: Directed by the Poor Law Commissioners to Be Printed, Chiefly for the Use of Boards of Guardians and Their Officers, 1840–1851* (New York: Augustus M. Kelley, 1970).

60 TNA: MH10/9, Edwin Chadwick, PLC, to Boards of Guardians, 8 January 1840. A copy of the first Official Circular dated 8 January 1840 was included. Chadwick's letter states that the Official Circular would be provided to unions at a 'moderate price'.

61 Official Circular, no. 10, 24 December 1840, pp. 142–3. On the general absence of such distinctive symbolic clothing cultures in workhouses, see Jones *et al.*, 'Clothing'.

of the guardians. The guardians might call the item to the attention of the auditor, and he would allow or decline it based on the legality of the process. Thus, guardians had no right to prevent such relief provisions to the poor.⁶² This would have been an important control on enforced workhouse residence, though as other material across this volume shows, it was implemented wholly inconsistently within and between localities.

A final example of the Official Circular notifying unions of the limits of local authority over paupers concerned the examination of paupers' friends when visiting them in the workhouse, a subject on which there has been no research whatever. A pauper identified only as 'JS', and from an unidentified workhouse, asked if union officers – in this case the union porter – had the right to search their friends when entering the workhouse. The substantive issue appeared to be the bringing in of foodstuffs and drinks by both paupers and their friends. However, the PLC stated that although the porter was authorized to search paupers returning from a leave of absence, no authority existed for a search of anyone who presented as a visitor of any inmate. Taking these cases in the round, the PLC made very public declarations here that mothers of bastards and single pregnant women were not to be punished by having to wear clothing highlighting them as unchaste, that parish overseers were to feel legally comfortable in providing poor relief in cases of sudden and urgent necessity (hence avoiding the enforced workhouse residence that so exercised the poor and that we have outlined in earlier chapters), and that union staff had no right to conduct intrusive searches. In a world where paupers had few rights, it was important to them (symbolically and practically) to have those constraints set out, published, and disseminated to those controlling relief.

However, notwithstanding the examples here, it is necessary to note that the vast majority of circular letters, and the shorter-lived published Official Circular, dealt not with the treatment or protection of paupers, but with issues around accounts, auditing, salaries, rental values, poor rate returns, charges relating to 'lunatic' paupers, the determination of the numbers of paupers, and other matters generally connected to the quantifying of pauperism and the financing and expenditure of unions. We calculate that as much as 80–90 per cent of circulars focused on such matters until the 1870s/1880s, at which point other wider LGB issues (external to the Poor Law Department) undercut the welfare focus. We find no indication that later circulars re-engaged with pauper treatment or protection. While this is perhaps not unexpected, it does illustrate that the 'administrative mind' was overwhelmingly focused on financial matters. In turn, and as the stories that drive this volume show, the circulars had at best a patchy traction with localities, perhaps

62 Official Circular, no. 24, 30 March 1842, pp. 61–2.

not unlike the patchy intervention of individual magistrates to control petty tyranny under the Old Poor Law.

WORKHOUSE COMPLAINTS

Moving from a process instigated by the PLC and continued through the periods of the PLB and LGB, we turn to a process instigated by the poor themselves: the pauper complaint. Pauper inmates, as we have established, were surrounded by rules: they were told when to get up, eat, work, and go to bed; they were to be silent when told; and they had to obey reasonable orders from the paid staff. Transgressions could be met by a variety of punishments: primarily a reduced diet, confinement for a number of hours in a solitary cell, corporal punishment (for boys), or being passed to magistrates if the mode of rule breaking encompassed criminal acts.⁶³ We consider these punishments at length in chapter 7. Meanwhile, rules also impinged on the workhouse staff with their lists of associated duties, as we have seen throughout the book so far. Such listings provided fertile ground for complaint where the individual staff obligations were not met. Let us take just one of the workhouse masters' duties. If the master was obliged to have pauper meals prepared, weighed, served, etc., and if none of these things happened, or if the food was rotten, then there was a cause for complaint based on the workhouse rules. The PLC initiated a process for complaint in their first annual report. The process had two initial strands: (i) workhouses were to establish visiting committees (a subcommittee made up of a small number of current guardians) whose role was to undertake regular inspections of workhouses; and (ii) that committee was to receive complaints about provisions and to undertake an examination of every such complaint. The initial complaint was to be recorded in the preprinted 'Visitors Book' of queries kept by each union.

This provided a small procedural rule that gave paupers an official process (not unlike the inspection mechanisms written into workhouse contracts under the Old Poor Law) within which they could, in theory, complain of petty tyranny. The procedural rule was then developed and expanded upon over the next few years. By 1847 the assistant commissioners were expected to make inquiries into alleged ill-treatment of paupers by local poor law officers whether instigated on their own knowledge or on the instruction of the Central Authority. In the same year, new and standardized workhouse inspection report forms were created on which assistant commissioners (and, from later in that year, the newly styled poor law inspectors) were to record their twice-yearly workhouse inspections. Such forms specifically asked if the visiting

⁶³ Williams, 'Paupers behaving badly'.

committee regularly visited the workhouse⁶⁴ and if any comments entered in their book required any 'interference' by the Centre. Completed inspection report forms themselves were sent to the Centre for analysis.

Collectively, in theory at least, these processes provided an administrative route for controlling and containing tyranny.⁶⁵ Workhouse pauper complaints to the visiting committee were to be investigated and resolved by that committee. If they were unable to resolve a particular matter, it was to be raised at a full meeting of the guardians (who were to access and examine those committees' records). This, for the Central Authority, was the paradigm process whereby complaints were raised and resolved locally with no central intervention needed. The recording of complaints by the visiting committee allowed the Centre to monitor them as their books were examined by the assistant commissioners and inspectors, with references to their content being expressly noted on the workhouse inspection report forms collected by the Centre. Thus, if no resolution was made at the local level, issues could be raised, through the visiting committee, to the assistant commissioner/inspector and on to the Central Authority itself. It might be argued that this process was *unsuccessful* in removing the Centre from intervening: thousands of paupers contented themselves with writing their complaints directly to the Centre, thus necessitating its involvement.⁶⁶ However, the Centre's usual way of dealing with such letters was to turn them back to the relevant Board of Guardians, who then simply referred them back to their visiting committee, which is where, from officialdom's perspective, they should have started in the beginning. It is easy to regard this circularity as tyranny by process, with the Central Authority actively complicit in the experience and practice.

This reading might be mitigated if the visitation process worked. In practice, the survival rates for both the visitor books and their volumes of minutes are patchy. We can, however, reconstruct local attitudes through surviving volumes, newspaper reports, and the workhouse inspection forms, which collectively allow us to view this huge innovative administrative process as it worked out in the everyday. Some unions embraced (or at least accepted) the new procedures immediately. In June and July 1836 the Brighton Union Visiting Committee (Sussex) had investigated the quality of the workhouse

64 Question 6: Workhouse Report Form (1847). Such visiting committees were to visit on a weekly basis.

65 The inspection report forms were as much about inspecting staff responsibilities as paupers. See Carter, "I never mentioned".

66 King *et al.*, *In Their Own Write*, chapter 4. However, in writing to the Centre, the pauper ensured a sense within the Board of Guardians that *they* were being monitored as the Centre had been informed and usually asked for their observations of the case.

inmates' clothing, reporting that it was in poor condition and recommending that new shoes and a uniform of grey cloth were provided for the boys.⁶⁷ There is some evidence that other unions adopted visiting committees in a rather half-hearted manner. James Hayller, one of the Westhamphnett Union guardians (Sussex), reported that if a pauper inmate made any complaint to a member of the visiting committee, they would be told it should be made to the guardians on the next board day, the visiting committee not being authorized to resolve any complaint.⁶⁸ In January 1850 William Golden Lumley's letter concerning the Ruthin Union's visiting committee (Denbighshire) was published in the north-west Wales press.⁶⁹ The Ruthin guardians appointed a visiting committee in May 1849 but that committee had never once visited the workhouse. As a result of their non-compliance, the PLB warned that unless the committee began meeting as ordered, they would appoint a paid visitor.⁷⁰ There were numerous reports in the middle decades of the nineteenth century that workhouses across the country and of different union typologies – Cardiff (Glamorganshire), Llanfyllin (Montgomeryshire), Mansfield (Nottinghamshire), Newcastle-under-Lyme (Staffordshire), Newport Pagnell (Buckinghamshire), Tynemouth (Northumberland) – were only occasionally visited, once again highlighting the importance of individual and situational forces in explaining when and if the potential for petty tyranny was realized.⁷¹

The wider absence of records *might* be read as evidence that an even greater number of unions ignored the requirements and processes altogether, circumventing an important potential control on the practice of petty tyranny. Even at the turn of the century we find that some unions were unwilling to complete the visitors' book queries. It was reported in 1889 that the Southwell Union visiting committee (Nottinghamshire), although they claimed to visit the workhouse each board day, seldom made any reports and did not record any answers to the set questions in the visitors book.⁷² In 1895 the Reeth Union visiting committee (Yorkshire, North Riding) reportedly only visited around once a month, and as with their rural counterparts in Southwell they

67 *Brighton Gazette*, 14 July 1836, p. 4.

68 *Evening Mail*, 7 June 1837, p. 5.

69 William Golden Lumley was one of the assistant secretaries at the Centre between 1840 and 1873 and then counsel to the LGB from 1874. He was a prolific writer of poor law manuals and legal guides: King and Jones, *Pauper Voices*, p. 60.

70 *Caernarvon & Denbigh Herald*, 26 January 1850, p. 5.

71 Carter, "I never mentioned", pp. 143–51.

72 TNA: MH12/9542/23, Report from William Moorsom, Local Government Inspector, to the LGB, 28 February 1889.

did not answer any of the queries.⁷³ We find a similar commentary in some of the larger unions: weekly visits were claimed at Manchester in 1897 and Liverpool in 1900 (both Lancashire), but with no written answers to the queries, the evidence of their attendance must remain in doubt.⁷⁴ The fact that these practices persisted across the period and across all types of union points both to structural weakness in the reach of the Centre but also a pointed disinterest in exercising oversight of the controls that could potentially limit petty tyranny.⁷⁵

CONCLUSION

The Central Authority understood that its existence posed a challenge to previous local power dynamics. The New Poor Law dispensed with the tripartite structure – officials–vestries/other bodies–magistrates – that had governed and shaped institutional relief practice for more than two centuries. Yet its centre was relatively small in terms of person power, compared both with the Old Poor Law and with the network of local guardians and paid officials who were tasked with putting the New Poor Law into practice. It was of course backed by the state, which in the 1830s was willing to send police and troops into areas where disturbances, riots, and demonstrations met the new law. Physical force was, though, always going to be short-lived. The real influence of the new Central Authority was the power of administration. One of its key administrative tools was the ability to regularly create and disseminate advice and instructions through the poor law circular letters and, for a short time, the Official Circular. More widely, the production of record-collecting formats into which unions across England and Wales poured their data, a willingness to receive pauper complaints, and a desire to monitor the visiting committees that were supposed to broadly scrutinize the running of workhouses theoretically gave the Central Authority under the New Poor Law a more uniform and potent ability to confront petty tyranny than ever existed under the Old Poor Law.

For both poor laws, however, theory mapped imperfectly onto practice. Magistrates – the local and regional arm of the British state up to 1834 in

73 TNA: MH12/14594, 116353, Report from C. A. Dawson, Local Government Inspector, to the LGB, 2 September 1895.

74 TNA: MH12/6089, 61940, Report from William Moorsom, Local Government Inspector, to the LGB, on his visit to the Manchester workhouse, 27 April 1897; and MH12/6017, 113234, Report from W. M. Moorsom, Local Government Inspector, to the LGB, on his visit to the Liverpool workhouse, 19 September 1900.

75 Fraser, 'Introduction', p. 19.

poor law terms – intervened more frequently than we might have expected to contest the power of vestries and officials and to confront the exercise of tyranny. But since such intervention was usually situational and personal (even if sometimes sustained), neither paupers nor officials could be sure of consistent action by the magistrates. And since there was remarkably little engagement with the direct oversight of workhouses, the heavy lifting of controlling the realization of the potential for petty tyranny in all its forms fell to other forms of inspection and control detailed in the next chapter. Certainly, the tripartite structures of the Old Poor Law did *not* amount to the creation or systematic exercising of a formal oversight role of the sort that magistrates had for the inmates of private asylums at this time. Post-1834 the work and intervention record of the Centre was no more consistent or predictable, both because of the size and reach of the administration but also through a lack of will. Circulars were a significant tool, but they rarely appear to have tackled tyranny in a sustained way, not least because of the Central Authority's single-minded focus on finance and related issues.⁷⁶ Furthermore, the Centre – despite complaining to unions about visiting committees not taking seriously their responsibilities for regular inspections and responses to the queries – were reticent to enforce any sanction. Although in many ways these processes were innovative and forward looking, the supervisory work of the Centre was ad hoc and patently under-resourced in terms of enforcement. Its activities provided irregular, but not systematic, protection to the workhouse inmate.

⁷⁶ Reference to a 'circular' was used effectively by Thomas Henshaw when seeking relief from the Basford Guardians (but it was not clear if he had sight of an individual circular or a copy of the Official Circular. King *et al.*, *In Their Own Write*, pp. 162–3).

Frameworks: The Poor Law Inspectorate

On 6 June 1815 the newly formed select vestry¹ of Garstang (Lancashire) noted that John Peddar had attended their meeting and ‘wants a bed and bedding found he has only one for himself, wife and children’. Complying with the intent of the Old Poor Law that every case be considered in depth, the vestrymen ‘wish the overseer to inspect his bedding and if he so thinks they are in real necessity to buy some but not to exceed 30s’. They were to return to the Peddar case seven further times as he circulated between outdoor relief and workhouse residence, before a final set of instructions was given to the overseer on 21 October 1823 that he ‘shall walk down to Jno’ Peddar’s and inspect his bed linen and bedding and make a report of the same to the next vestry meeting – when such articles are absolutely wanted shall be provided by the township’.² If he was not satisfied, Pedder was to be placed (against his will) in the workhouse. The potential for such inspections to embody power disparities and to feed directly into tyranny by neglect, inaction, or conflict is clear, though of course paupers thus treated had the right to approach the vestry again.

Yet, it was not just the poor who were being monitored in this process: elected and (later) paid³ overseers were also being held to account by the vestry for their spending and decisions. Some sense of why this was important can be seen in a resolution from Garstang of 18 December 1821, in which a committee was to be formed ‘for investigating of the accounts of the town for the years 1819/20 and 20/21’ because ‘negligence had been incurred by the overseers for the respective years’, including overpayment of bills and a failure to pay paupers on time. Here, then, micro-management of the welfare system

1 On select vestries: Shave, ‘The impact’; Wells, ‘Poor-Law reform’.

2 LRO, DDX 386/3, Minutes of the Select Vestry of Garstang.

3 Tomkins, ‘The overseers’ assistant’.

at the parish level constitutes the opposite end of the spectrum to the systems of control operated by magistrates that were reviewed in chapter 3. The tenor of that management had a significant part to play in whether the potential for tyranny broke through into everyday realities for paupers.

In this chapter we first consider in more detail the lower levels of the spectrum of inspection and intervention that might constrain the scope for all the forms of tyranny outlined in the preface during the final decades of the Old Poor Law. We will suggest that while such lower-level constraints were not systematic, geographically or chronologically consistent, nor uniformly effective, they were more frequently deployed than much of the historiography has allowed. The majority of the chapter, however, builds on the conclusions of chapter 3 and focuses on the intertwining questions of how the Central Authority of the New Poor Law inspected and sought to control local practice and how other actors, especially the growing body of social investigators and serial advocates, influenced local policy. First, we will ask how workhouses and other relief relationships were supervised, examined, and policed by the permanent central inspectorate. Did it see 'protecting' the poor as an important part of its work? If so, how were inspectors to do this, and what effect did they have in identifying, punishing, and discouraging the operation of petty tyranny? The chapter will then move on to the issue of advocacy, asking whether prominent 'amateur investigators' and other advocates acted as a type of shadow inspectorate emerging and gaining strength precisely because of the actuality of petty tyranny that was unconstrained by the Centre. The role of advocates in confronting workhouse tyranny was a particularly prominent one; it receives a more lengthy analysis in chapter 9.

CONTROLLING TYRANNY UNDER THE OLD POOR LAW

The story of John Peddar suggests that the select vestry could simultaneously be a vehicle for tyranny (particularly delays in decision making and through inaction) and also a constraint on personal and, in particular, neglectful tyranny. More widely, the complex hierarchies of authority in the differently constellated patchwork of welfare provision under the late Old Poor Law created a considerable array of inspection mechanisms even as local government was 'unyoked' from the Centre.⁴ Some were necessitated by matters of contract. Unions of parishes created under the Knatchbull and Gilbert Acts or other legal instruments involved the pooling of finances and shared usage of

⁴ Innes, *Inferior Politics*, pp. 2, 4, 25, 59, 74.

institutional facilities.⁵ Matters of good governance and economy mandated local structures for monitoring accounts, processes, and spending. The Norfolk parishes using the Wighton workhouse, for example, had House Committees that oversaw admissions, discharges, and contracts and dealt directly with difficult cases.⁶ We also find attempts to listen to the concerns of the poor themselves.⁷ The Herefordshire parish of Hope-under-Dinsmore, for instance, maintained a 'complaints book' to capture pauper and advocate concerns.⁸ Equally, the practice of farming the care of the poor to a contractor at a fixed price per head required basic (and sometimes more elaborate) contracts and mechanisms of inspection and monitoring. Such was the case, for instance, in Romsey (Hampshire), where on 24 March 1806 the vestry resolved to

farm the Poor of the said Parish resident in the workhouse for the term of three years at a specific sum per Head subject to a variation according to the price of bread for the time being similar to the existing contract between Mr Samuel Chene and the Parish Officers of Romsey Extra.

By May the parish had two bids in hand but decided that 'the Parish Officers be requested minutely to investigate what the Expenses of the Paupers in the House have hitherto been'. The result was a retendering process, where the second-ranked bid in terms of cost was accepted. The reasons for this decision are unclear, but it seems likely that the lowest bid, some 3d per head cheaper than that eventually accepted, might have resulted in unacceptable care for the workhouse poor. Quarterly inspections of the workhouse also suggest that this reading has traction.⁹ Renting workhouse space from other parishes also carried inspection and accounting requirements. On 19 July 1810, for instance, Romsey concluded that its experiment with farming the poor had failed, and the vestry agreed that there would be

a mutual benefit to the two Parishes of Romsey Infra and Romsey Extra if the Paupers of the former parish were to be supported in the Poor House of the

5 On the conceptual place of such acts as a shared mechanism of control between the local and national, see Innes, *Inferior Politics*, p. 12.

6 NFRO, PD 502/64, Warham Overseers' Accounts, 1765–1824. See especially entries from 1811 to 1815, after which Warham withdrew from the Wighton arrangement.

7 See, for instance, the envisaged systems of inspection at Walsingham (Norfolk) when setting up a School of Industry in 1817. NRO, WLS/LVIII/44, Bundle of documents relating to the school of industry.

8 HROH, N31/163, Hope-under-Dinmore Complaints Book 1825–7.

9 HRO, 10M58/PV2, Vestry Minutes, Romsey Infra.

latter, a fair allowance being made by way of Rent & the Parish of Romsey Extra being fully indemnified for every possible Risk and loss respecting settlements &c.¹⁰

The fact that such inspection was taken seriously can be seen through entries in overseers' accounts for inspection visits.¹¹

It is difficult to discern how far the breakdown of farming or rental arrangements (and indeed wider experiments with workhouses from the 1790s) reflected merely issues of costs and logistics as opposed to the detection of tyranny by officers. Some 96% of all the 302 farming contracts we have been able to trace ended without comment. Occasionally, however, the poor took matters into their own hands and complained direct to vestrymen, as for instance did Ann Nixon in an undated (but likely 1812) letter from the Bear Lane workhouse (Blackfriars, City of London) to Wallington (Surrey). She hoped the vestry

will be so kind as to take my Cace into consideration and get me some of my cloths i had a place to go to when i sent to you but could not go for want of cloths it is greate expences to you to ceep me here and i may as well be in a prison i hee can not get a place till i have some cloths as you and mr osborn told me i shuld have when i got better and if you will send me answer whether i must come down or not i am sorry to be so much troble to you but hope i never shall be any more.¹²

Rhetorical construction of the workhouse as a prison is a familiar trope from post-1834 material, as we have seen, but it is less often deployed under the Old Poor Law. The effect of Nixon's letter was immediate, with Wallington ending its association with Bear Lane. Officials acted too on casual or rumoured observations of tyranny, particularly neglect, and even without direct pauper complaints. Thus, when William Roberts wrote from Trewirgie (Cornwall) to the local overseer William Jenkin in August 1811, he outlined 'the distressed case of James Tregoning'. The parish had, Roberts argued, failed: 'I can feel for his Distress, but I cannot paint it out, – In fact the poor Old Mans face tells you he wants.' Now in the shadow of 'utmost Distress', the reticence of the gentlemen of the parish must be challenged and Roberts satisfied himself that 'I do not Know any person to whom I cou'd make so bold as to yourself – your

10 *Ibid.* See also Anderson, 'The Leeds workhouse', p. 112.

11 These were often annual or more frequent. See a cost line for three visits by the Mitton overseer to Brindle workhouse between April 1822 and April 1824: LRO PR3031/10/1.

12 Sutton Local Studies Library, P56/7/50/51, Undated letter.

ears being always Open to likes of me'. Tregoning got his relief without being forced into the workhouse.¹³

This story also hints at other inspection and accountability mechanisms that were not contractual. Our data contains twenty-two instances where the vestry was obliged to inspect itself because of formal complaints or (much more often) rumour that it had not been doing its job, simultaneously failing to deliver economy and allowing abusive practice. A remarkable 833-word defence of itself by the Eling (Hampshire) vestry on 7 October 1819 is evocative. The report – researched and written because 'Insinuations have been thrown out, that there has been during the time that they have had the case and management of the concerns of the Poor, a lavish and most careless expenditure of the Parish money' – laid out years of hard work by the members to rectify the 'most embarrassed state' in which they had found parish administration when they came into office. Recounting stories of spiralling pauperism, ineffective and unequal tax raising, and abuse of relief by the poor, the report nonetheless found time to highlight tyranny and abuse on the indoor poor. The vestrymen had 'found the Poor House much out of repair, with few or no Regulations as to its internal management, and its Inmates badly clothed, with little or no employment, and in a considerable state of insubordination', with the latter term referring to complaints about treatment rather than rioting and disorder. Through the 'unremitted Exertions of their Treasurer ... and the late assistant Overseer', the parish administration had been set in good order and

its Poor House is in good state of repair, that wholesome regulations have been introduced for its internal management, that a beneficial manufactory has been established within its walls, and that its inmates are comfortably clothed, regularly employed, and orderly in their conduct, and lastly ... will be found in the Poor House, a considerable stock of shoes and other articles to a considerable amount.¹⁴

Regular and concerted inspection had thus ironed out tyranny by neglect, person, and process, with (in the view of the vestry, which underlined the following word) 'permanent benefit' to Eling.

Even where vestries were not self-reflective in this way, they (and overseers in person where select vestries did not exist) had at their disposal a number of inspection and investigation mechanisms. Of course, these were overwhelmingly focused on detecting imposition by paupers and their advocates, but they also worked in the opposite direction. Some are familiar from

13 CWRO, X326-60, Letter, 28 August 1811.

14 HRO, 4M69/PV1, Vestry Minutes of Eling. Textual effects are original.

the existing literature, with officials calling on their counterparts elsewhere to inspect applicants and workhouse residents where these people lived at a distance, or asking local residents who happened to be travelling in the region to add such inspections to their business.¹⁵ Equally, in her reconsideration of the intent and impact of the pauper apprenticeship system, Katrina Honeyman has drawn attention to formalized and regular inspection and complaint mechanisms that allowed children at least some recourse once they were in their place of training.¹⁶ Other mechanisms have attracted less commentary. The vestry at Garstang, for instance, maintained a subcommittee of 'lookers', independent of the overseer or vestry. Their job was mostly to discover whether the cases made by the poor were genuine but also to hear and investigate the complaints of poor people inside and outside the workhouse. On 29 July 1823 the lookers were to

inspect the house last occupied by John'n Harrisson and have their opinion as to the repairs (if any) wanted which shall be made known to Rob't Gardner the landlord and if he refuse to make the same that this township will not be responsible for the rent of such house. That the overseers request the house lookers to inspect the whole of the houses occupied by persons who are paupers of the township and make thier report to the vestry at the next meeting.¹⁷

It seems likely in this case that poor-quality housing – and, by inference, tyranny by neglect and inaction – had been reported to the vestry.¹⁸

We cannot know the regularity of activity for these lookers, but in other places the records are more penetrating. Thus, the 40,000 words of workhouse books, miscellaneous papers, and overseer payment books for Wighton provide a compelling sense of a workhouse constantly subject to informal visitation by family members, magistrates, coroners, ratepayers, other officers and parochial officials of the Gilbert Union, vicars, doctors, officials from more distant parishes, peers of the realm, and all sorts of service providers across the spectrum from nurses to truss makers coming to measure up for their

¹⁵ King, "It is impossible".

¹⁶ Honeyman, 'Compulsion, compassion', pp. 74, 76, 81–4. See also Ottaway, 'The purposeful'.

¹⁷ LRO, DDX 386/3, Minutes of the Select Vestry of Garstang. At the opposite end of the country see HRO 145M82/PV1, Bishopstoke Vestry Minutes 1826, 39, which on 13 April 1826 requisitioned a committee of inspection 'for making the poor as comfortable as circumstances will admit'.

¹⁸ Lookers may have had a role akin to amateur/public encounters with the workhouse. London guidebooks, for instance, suggested that tourists visit the workhouses of St Martin's and Marylebone. MacKay, 'A culture', p. 215.

wares. The absence of complaints about tyrannical practice in the material is, against this backdrop, striking. Perhaps the forty-three instances of paupers 'absconding' from the workhouse embodied a response to abuse. But since many of those undertaking such actions did so multiple times, there were probably other structures of causation. This is not to say that there was no tyranny, including forced treatment for venereal disease. Yet the absence of complaints at Wighton probably does testify either to a well-run workhouse or to the effect of constant informal inspection on the workhouse regime, or both.¹⁹ One occasional set of visitors to the Wighton workhouse were those who brought paupers having just inventoried their possessions, some or all of which might then enter with them. Norfolk has a rich set of surviving inventories of this sort, but they were taken much more regularly than such collections might imply.²⁰ The temptation to regard this process of accounting for the range and value of pauper goods in negative terms – as the tyrannical action of parishes determined to drive poor applicants to destitution by selling or appropriating for other uses goods and furniture and thus reducing relief bills – is compelling. Yet, as Joe Harley reminds us, the thinking behind such inventorying (and the related stamping or marking of goods) was often more complex.²¹ Indeed, our reading might be wholly reversed if we look instead at the following correspondence from Swanage (Dorset), from 11 July 1810:

Whereas Anne King having quitted her house for the accommodation of the Parish and is gone to reside in the Poor House and has there carried her household goods' an inventory is to be taken and her goods will be restored to her son on her death²²

There followed an extensive list of forty-six items that could legally have been sold but that were to be passed between the generations instead. Here, the act of inventorying was actually protection against tyranny.

Nor, of course, should we forget the role of advocates in detecting and confronting tyranny by neglect, person, inaction, and process. Individual advocacy was a strong feature of the later Old Poor Law, with such men (and some women) holding parish officers to their moral, humanitarian, and

19 NFRO, PD553/101-03, Wighton Workhouse Books, 1789–1813; PD 553/76-78, Wighton Miscellaneous Papers; PD 553/54-56, Wighton Overseers' Accounts, 1778–1824.

20 J. Harley, *Norfolk Pauper Inventories, c.1690–1834* (Oxford: Oxford University Press, 2020).

21 Harley, 'Material lives'; Harley, 'Pauper inventories'.

22 DRO, PE/VE 1/1, Vestry Minute Book 1788–1818. For similar cases, see NFRO, PD 358/41 and 42, Miscellaneous Poor Law Documentation for Shelton.

legal obligations on some scale.²³ Their alertness to small acts of tyranny is captured well in the letter of Joseph Thompson from Lanchester (Durham) to Greystoke (Westmorland) on 28 June 1826. Outlining a horrific accident in which a thirteen-month-old child of William Miller was burnt to death, Thompson anticipated sluggishness or a reluctance to pay on the part of the Greystoke officials and reminded them: 'you know him [Miller], [I] shall only recommend him to your notice as you'll perceive from what I have said he must be greatly necessitated – and I sincerely hope humanity will plead his cause'.²⁴ Even more significant were instances where multiple advocates came together in order to challenge local administrative power. Returning to the Lancashire parish of Garstang, in 1818 (and clearly against their will) a 'meeting of the Garstang committee [vestry]' was 'held at the Royal Oak' public house. This was to take 'into consideration the state of the poor as reported them by Mr Smith, Mr P Bell and Mr McKie from their personal inspection it appears as follows'. A list of paupers and their deficiencies of clothing and other poor experiences, including those in the workhouse, then followed. Here, though, we see a summation of tyranny by neglect in the parish.²⁵ Such collective actions are not common in the Old Poor Law data, but they are traceable nonetheless.

This is not to downplay the scale and depth of petty tyranny under the Old Poor Law in its last decades. As well as spectacular instances of abuse resulting in death and prolonged hardship, we encounter thousands of small acts of neglect or active spite. Two examples encapsulate such experiences. Thus, on 14 February 1813 Ann Winchester of Iffley (Oxfordshire) wrote to her father:

I Received your Letter and am sorry to hear that you are unwell I could not give you an answer before the Farmers and a Meeting as the meet once every Month. the will not relive you unless you come down and states it before them that you did not gain no Parish no were else. Mr William Hurst Overseer then if not the will relive you. I am verry well and my Husband and all my Family my Brother Joh[pape torn] is well my Brother Richard have been verry ill but he is better now. I am your Humble Daughter.²⁶

Here, then, the master of a farmed workhouse demanded that a sick old man travel to be 'seen', having first set his meeting dates a full month apart to dissuade applications – a subtle combination of multiple forms of tyranny.

23 King and Jones, 'Testifying'.

24 CROK, PR-5-67-8, Letter, 28 June 1826.

25 LRO, DDX 386/3, Minutes of the Select Vestry of Garstang, entry for 13 May 1818.

26 Sutton Local Studies Library, P56/7/51/14, Letter, 14 February 1813.

Families in Putney (Surrey) had a similar experience. On 3 January 1825, George Colley attended the vestry to say that

he cannot any longer maintain his younger brother and sister, that he has a pension of 12s per week, from the parish towards the support of four brothers and sisters, that the eldest is a young woman aged 19 – that one of his brothers is 17 and the other 14 that he therefore agrees to resign the pension, and will expect the parish to provide for the two youngest Children. Ordered, that Mary and Thomas the two youngest Children be maintained in the Workhouse.²⁷

Colley was thus faced with an unpalatable choice: to force his younger siblings into the workhouse or to try and subsist on a sum that amounted to perhaps 65% of the average male wage in the area at the time. The fact that he had to make the choice points to tyranny by process, person, and inaction. In practice, Putney was not a harsh parish, dealing constructively and even imaginatively with poor applicants, but we nonetheless detect a seam of decisions that can be read as tyranny, including forcing paupers to remain in the workhouse (1 May 1820); demands that applicants move to cheaper accommodation as a precursor to relief (15 July 1822); requirements that someone apply in person rather than through a third party, thus delaying the outcome (4 October 1824); and splitting up families on entry to the workhouse (3 October 1825). Particular spite was reserved for single mothers, as in the case of Sarah Tyndall, ‘a singlewoman with a bastard child’, who applied for relief on 17 November 1823. The vestry ‘Ordered, that she be allowed half a crown a week for her child out of the House, which upon being called in, she rejected; whereupon it was ordered that she continue to be maintained in the House, and be set to work in an employ suitable to her strength and capacity’. Here, then, the vestry offered an amount that they would have known to be completely inadequate and used her refusal to force workhouse residence with a labour requirement, a clear enfolding of tyranny by person and process.²⁸ The work of Samantha Williams suggests that we should not be surprised by such events, but in the particular context of the accumulation of small tyrannies, the case is both intriguing and one that confirms the highly localized and situational realization of petty tyranny.²⁹

These examples are important to an understanding of the complexity of authority under the Old Poor Law. Not only must instances of tyranny be

27 Wandsworth History Centre, PP/1/2/1, Putney Vestry Rough Minutes 1819–31.

28 *Ibid.*

29 Williams, *Unmarried Motherhood*.

tensioned against other acts of flexibility and even kindness, but the parish and its workhouse were constantly engaging with outsiders who sometimes limited the potential for tyrannical acts. The moral and justicing controls on Old Poor Law practice explored in chapters 2 and 3 were given added force by these alternative mechanisms of inspection. A system that nominally gave unlimited power to parishes and their officials in terms of relief decisions also, in its practical operation, limited the scope for that power to be wielded. The New Poor Law proved to be a very different structure.

CONTROLLING TYRANNY UNDER THE NEW POOR LAW

In January 1868 an anonymous letter from 'A Pauper' in the Axminster (Devon) workhouse was sent to the PLB. The letter set out a litany of tyrannical acts perpetrated by the workhouse staff and asked the PLB to

open your eyes and look into the affairs of this Union and others to see how the poor are served how much tobacco are they allowed sometimes they have half an ounce when the master chooses to give them any and lunch the same is this allowed the food is not weight and measure sometimes like pigs wash a drop of water to drink from the furnace along with bread and cheese and adulterated with American potash or something else for it binds any person up for days.³⁰

The writer was clearly annoyed with their treatment, and the individual complaints come thick and fast. Not only were the writer and his fellow paupers served poorly, but they ended up being poorly (constipated). The writer alleged something more. They might get their tobacco if 'the master chooses to give them any', and the same with the food – a classic case of tyranny by the person. The master applied these not as rules nor even as conventions but more as guides, dependent upon his feelings or moods. Yet there was still more. The opening sentence invited or instructed the PLB to 'open your eyes and look into the affairs of this Union'. We know from the analysis in chapter 3 that the Centre did indeed investigate and sanction union staff. For example, between 1860 and 1920 almost 13 per cent of provincial workhouse masters were dismissed or pressured to resign.³¹ It is inconceivable that by 1868 our

30 TNA: MH12/2107, 805/1868, Letter from 'A Pauper', Axminster workhouse, to the PLB, January 1868.

31 Thus, local workhouse staff were aware of the dangers that coming under the eye of the inspectorate might bring; see Crowther, *The Workhouse*, pp. 119–20.

anonymous workhouse inmate was unaware of the process of central investigations led by poor law inspectors. The inspectors, after all, were the eyes and ears of the Centre, and 'A Pauper' had just invited them to investigate.

In the last chapter we considered how 'real', for the Old Poor Law, the threat of parishes being 'taken to the magistrates' actually was. Under the New Poor Law we know that the Centre believed that workhouses should be inspected, and that they created the complaint report mechanism set out in our previous chapter for the monitoring of unfair, cruel, and tyrannical acts against paupers. We now turn to examine the role of the poor law inspectorate, not merely as the monitor of complaints but as an active player who investigated allegations; interrogated accusers, accused, and witnesses; and, finally, recommended outcomes. We ask whether the inspectorate saw 'protecting' the poor as an important part of its work. Workhouse inmates certainly believed they could ask for protection. For example, in October 1846 Ann Pridmore wrote to the PLC complaining that she 'has been in the Wandsworth Union for a long time Likewise Battersea [both Surrey] the person as been beat five times very vilent and wish for portackshon [protection]'.³² If the inspectorate did see protecting the poor as being integral to its role, how was it to do this? And what effect did it have in identifying, punishing, and discouraging the operation of petty tyranny? The chapter will then move on to the actions, motivations, and achievements of those who advocated on behalf of paupers – including local landowners, clergy, and ratepayers – in regard to pauper 'protection'.

‘I MAKE THIS COMPLAINT’³³: THE PERSONAL TOUCH

In chapter 3 we saw that the dual central framework processes of systematically informing and updating unions of their responsibilities through official circulars and the complaint processes put in place and monitored by union

32 TNA: MH12/12692, 11955/A/1846, Letter from Ann Pridmore, Wandsworth and Clapham workhouse, to the PLC, 23 October 1846. Similar appeals from workhouse inmates quoting 'protection' are common, including MH12/6845, 5591/1850, Petition from eight male inmates, Bethnal Green workhouse, to the PLB, 6 February 1850; MH12/5992, 59649/1881, Letter from John Bernard Gunn, Liverpool workhouse, to the LGB, June 1881; and MH12/12231, 29615/1888, Letter from Hannah Berry Pearson, Dorking workhouse, to the LGB, 23 March 1888.

33 This phrase is taken from a letter: 'I make this complaint not only on my own behalf, but on behalf of the other Inmates of the house who have been, or may be in a similar manner deprived of their meals.' TNA: MH12/8484, 45795/1873, Letter from John Butcher, Mitford and Launditch workhouse, to the LGB, 12 July 1873.

visiting committees (both of which held the potential throughout our period for mitigating tyranny) were unfocused, ad hoc, and under-resourced, and thus provided nothing more than an irregular and random protection for the workhouse inmate.³⁴ We see this in the tension between a lack of complaints coming through visiting committees but also in the persistence of complaints about workhouse tyranny by way of other means.³⁵

Complaints, allied with requests for investigation rather like that of the anonymous Axminster workhouse inmate, appear regularly in our corpus and across all union types. For example, in 1848 John Cartwright, a Wolstanton and Burslem (Staffordshire) workhouse inmate, wrote to the PLB reporting threatening behaviour by workhouse staff, hoping and 'trusting you will forthwith institute such inquiry into this matter'.³⁶ Similarly, William Leeson, a Chelsea (Middlesex) workhouse inmate, wrote in 1866 of an assault by another pauper who acted as one of the workhouse trustees or favoured inmates; he signed off his letter hoping that the PLB would 'fully investigate my case'.³⁷ Elizabeth Parry's complaints about her treatment in the Holyhead (Anglesey) workhouse in December 1873 were prefaced by asking that someone from the LGB might 'visit her'.³⁸ In 1895 Robert Hendry, an ex-Barnsley Union (Yorkshire, South Riding) workhouse inmate, set out a multitude of complaints about the cruel treatment suffered by him and other inmates in which he hoped 'you will grant an Inquiry into the Master's conduct'.³⁹ Alfred Hinton complained in 1906 that he was refused his discharge to leave the workhouse for a promise of work, asking that the LGB 'will see to his case as soon as you can'.⁴⁰ The words and phrases used in these letters demonstrate that New Poor Law workhouse inmates knew that their complaints of tyranny

34 Though see also some of the ambiguities in official guidance captured in Anon, *The Duty of Workhouse Visitation and How to Do It* (London: Nisbet, 1857).

35 Personal complaints of paupers were the starting points for numerous investigations by the inspectorate: King *et al.*, *In Their Own Write*, *passim*.

36 TNA: MH12/1198/83, 147/1849, Letter from John Cartwright, Wolstanton and Burslem workhouse, to the PLB, 30 December 1848.

37 TNA: MH12/6994, 34141/1866, Letter from William Leeson, Chelsea workhouse, to the PLB, 16 August 1866.

38 TNA: MH12/15699, 80194/1873, Letter from Elizabeth Parry, Holyhead workhouse, to the LGB, December 1873.

39 TNA: MH12/14703, 67478/1895, Letter from Robert Hendry, Barnsley, to the LGB, 21 May 1895.

40 *The Leeds Mercury*, 12 April 1906, p. 3.

had the potential to bring the workhouse and its officers and guardians under the active gaze of the inspectorate.⁴¹

The original nine assistant commissioners who made up the inspectorate saw their numbers peak in 1839 at twenty-nine. However, at the time of the Andover Scandal in 1845 they were reduced back to only nine.⁴² Thus, numbers diminished after the initial unionization of England and Wales had been largely completed in the early-to-mid-1840s.⁴³ The assistant commissioners transformed from being employed by a department with policy development responsibilities to one more focused on inspection as the PLC ended in late 1847 and was replaced by the PLB.⁴⁴ Their increasingly important role as the system's inspectorate and enforcer of rules and regulations was solidified. Indeed, investigating and determining pauper ill-treatment or neglect was deemed in 1847 to be one of the assistant commissioners' 'four ordinary' duties – a clear indication of the nominal significance of the role.⁴⁵ As such, these inspection and enforcement responsibilities provided an opening for complaints to take local officers and guardians, as well as the New Poor Law itself, to task over tyranny graded at any level. Paupers, advocates, and social reformers immediately began to use the Centre as a court of arbitration over issues and disagreements concerning the interpretation of poor law regulations.⁴⁶ This might be over matters of fact (e.g. the rules set down concerning pauper punishments) but it might also relate to claims of natural justice where local officials held discretion (e.g. specific cases in which a pauper might be offered only the workhouse).

We have identified (for the first time) three categories of inspectorate interventions where tyrannical staff/process behaviours came to its attention: (i) targeted investigations, (ii) local investigations, and (iii) official or central investigations. However, an individual case might pass through two or even all three categories. Targeted investigations here are defined as a relatively informal investigation that might leave only the lightest archival indentation. Many – probably most – informalities ('tellings off', pointed conversations, and something akin to 'having a word') will be lost to us. Such an example can though be found in John Lambert's workhouse inspection report following

41 In regard to Hinton's case, it was reported that the guardians were asked for their observations on his complaint 'within a very few hours'; *The Leeds Mercury*, 12 April 1906, p. 3.

42 Harling, 'The power', p. 31.

43 Brundage, *The English*, p. 71.

44 Driver, *Power*, p. 29; Crowther, *The Workhouse*, p. 80.

45 Carter, "'I never mentioned'", p. 132.

46 Carter and Jones, 'Writing'.

his visit to the Southwell workhouse (Nottinghamshire) in March 1859. He reported that

One of the Inmates complained that the S[chool] Mistress had slapped her child for not going into the bath, and made a mark upon its back. I pointed out to the Mistress, whose temper is somewhat quick, that she was not justified in what she had done and she promised not to repeat the offence for the future.⁴⁷

It is unclear if the child's mother had complained in the visitor's book or had approached Lambert during his workhouse inspection, although a close reading of the report suggests the latter. However, what is clear from this example is that some assistant commissioners and inspectors would, like their local counterparts, seek an informal resolution for some minor actions of tyranny, especially where they were not actually illegal.

At a more serious level, our second category became a factor. Guardians were expected by the Central Authority to make decisions about which allegations of tyranny they would investigate, usually through their visiting committees, as we saw in chapter 3. These were cases like that of Hannah Atkins, an inmate at the Kidderminster workhouse (Worcestershire), who died in 1841 after her confinement. Faced with birth complications, the workhouse nurse sent another inmate to fetch the medical officer, the master being 'busy' and the matron absent. The medical officer's assistant refused to attend without a written order providing the specific details of the medical problem, illustrating a clear sense of tyranny by process, and one with fatal consequences. Unlike the previous case of the unnamed mother and child from Southwell, the process of investigation at Kidderminster is clear and the archival record demonstrates an advanced need for record keeping and communication with the Centre. This sits well with the Kidderminster Union, which had a regular meeting and functioning visiting committee throughout the Victorian period.⁴⁸ A formal inquiry was held by the visiting committee into Atkins's death, and a copy of the resulting report was forwarded to the PLC. This paperwork included the names of the guardians making up the committee; full copies of the witness statements from the workhouse master, the workhouse matron, the nurse, and the schoolmistress; and a copy of a letter by the medical officer. Additionally, there were three statements from paupers who were in the workhouse and able to comment on events.

47 TNA: MH12/9531/510, 10535/1859, Report of John Lambert, Poor Law Inspector, to the Poor Law Board, 10 March 1859.

48 Carter, "I never mentioned", pp. 146–7.

Between these statements a full timeline of events was provided to the PLC, with a clear indication of their sequence. Cooke, the nurse, had not informed the master that she feared Atkins's life was in danger as he was 'engaged with his books' and the matron was absent. There had also been a delay in the attendance of the medical officer as an agreement had been struck that the medical officer's attendance would be required by a written note stating the patient's condition. On this occasion no note was written.⁴⁹ As was the case for many such local inquiries, follow-up correspondence and documentation resulted. Here, a forwarded statement from Thomas Thursfield, the medical officer, testified that the immediate cause of Atkins's death was a perforated ulcer leading to an intestinal infection. However, Atkins was admitted to the workhouse on February 11 and confined on 6 April. The medical staff knew Atkins and knew something of her medical history. She had fallen twice in the workhouse prior to her confinement, and she suffered from diarrhoea prior to and after giving birth.⁵⁰ The PLC concluded, after reviewing the written evidence, that there was considerable negligence on the part of the nurse: not alerting the master soon enough meant that the medical officer did not attend. The PLC insisted that in future, when the doctor was needed at the workhouse, notes requesting his attendance should be sent by the master or matron immediately, but it also ordered that the notes would not have to contain details of the medical problem as this might be beyond the ability of workhouse masters and matrons to determine. This case of tyranny by process – in which the nurse declined to disturb the master and medical staff wanted to know the medical status of their patients prior to attendance – was ordered to be stopped immediately.⁵¹ Even so, nothing illegal happened here, and it is easy to see how paupers, in telling and retelling this story, might have constructed a 'feeling' of petty tyranny.

In Atkins's case it appears that the assistant commissioner played little if any role in the assessment of the written evidence and subsequent recommendations. However, where the Centre considered an independent investigation was necessary, or where local guardians requested it, our third category – inspectorate-led investigations – came into play. Thus, in April 1851 inspector Robert Weale considered the accusation that Elizabeth Burbridge, an inmate

49 TNA: MH12/14017/163, 5836/B/1841, Copies of evidence given at an inquiry held by the Kidderminster Visiting Committee into the death of Hannah Atkins, to the PLC, 7 May 1841. For wider problems with medical officers, see Price, "The shape".

50 TNA: MH12/14017/164, 6167/B/1841, Letter from Henry Saunders, Clerk to the Guardians of the Kidderminster Poor Law Union, to the PLC, 20 May 1841.

51 TNA: MH12/14017/165, 6167/B/1841, Draft letter from the PLC to Henry Saunders, Clerk to the Guardians of the Kidderminster Poor Law Union, 4 June 1841.

of the Melton Mowbray Union workhouse (Leicestershire), had given birth to a child fathered by the master. The accusation was contained in a letter from Mr Tuxford, the Melton Mowbray vice-chairman, who asked for a central investigation. Weale interviewed the matron, the schoolmaster, the schoolmistress, the nurse, the porter, the baker, and several female inmates to ascertain if any familiarity had been noticed between the two parties, but he could find none. It was Burbridge herself who claimed the master was the father of her child, but she was not interviewed as Weale considered her of weak intellect and thought it wrong to put her on her oath. Although Weale found no evidence against the master in relation to Burbridge's accusation, he was able to demonstrate that the master had known of her pregnancy but not reported this to the visiting committee. Reports of the use of improper language towards female pauper inmates, and of other illicit sexual relationships in the workhouse that did not directly involve the master but were known to him and still went unreported, surfaced at the investigation.⁵² Weale also found that the porter had been 'entertaining' Sophie Riley, another pauper inmate who was also pregnant. These findings highlight multiple tyrannies – by person, process, and inaction – and the investigation ended with the resignations of the master, the matron, and the porter, which Weale advised the guardians to accept.⁵³ In this instance, then, a reasonable reading of the case is that the intervention of the inspectorate removed sexual predators from the workhouse staff, thus protecting other inmates while shielding the wider poor law system itself from allegations of leaving vulnerable paupers susceptible to abuse. However we read the evidence, it points to the role of the individual and situational in the realization of petty tyranny.

A further example of a central inquiry is the one initiated by Michael Duggin, an inmate at the North Shields workhouse, part of the Tynemouth Union (Northumberland). Duggin wrote to the PLB in October 1864 stating that he had been

an Inmate of the Union workhouse at North Shields during the last 16 weeks – I am 64 years of age I applied to the Guardians for admission to allow me out on The Sundays to attend Divine service which I was Refused – Hoping your Honor will be Kind Enough to Investigate My Case I am your Humble
M Duggin To the Poor law Commissiers.

⁵² For wider contexts of predation, see Moss, 'Sexual Harassment'.

⁵³ TNA: MH12/6613, 15299/1851, Letter from W. T. Tuxford, Melton Mowbray, to the PLB, 5 April 1851; MH12/6613, 17363/1851, Letter from Frederick I. Oldham, Clerk to the Guardians of the Melton Mowbray Poor Law Union, to the PLB, 19 April 1851; MH12/6613, Report from Robert Weale, Poor Law Inspector, to the PLB, 17 April 1851.

The PLB initially decided they would 'Send [a] copy to the Guardians for [their] observations' rather than initiate a central inquiry.⁵⁴ However, Duggin was dissatisfied with the response. He wrote again some six weeks later to report that

debarred of the Priveledges allowed according to the Rules Which allows other persons to Come out Every 14 days & the afternoon of the sabbath I am not aware that I am Guilty of any Crim Excepting reporting my previous Grievence to you Which you have investigated.⁵⁵

Duggin wrote again in January 1865. He knew of the outcome of the then-current internal investigation into his case and alleged that

they Guardians have Misrepresented me saying I was allowed the priveledges of Able Bodied Men I am returned I am an Infirm Man by they Medecal attendant Which according to they Rules Entitles me to They priveledge of being allowed out on Sunday afternoon and once Every 14 days which is allowed to Every man in they House Except Myself.

Furthermore, Duggin protested that he was being made an example of for the act of writing his initial letters of complaint to the PLB. He claimed that 'As they were all Going out I went to they door and They master made a public show of me by turning me back in Consequence of Me taking they liberty of writing to you'. Duggin further accused the master of keeping pigs and fowls at the workhouse, of keeping a (non-pauper) female boarded at the house, and of allowing overcrowding in the day rooms, alongside 'many other Grievances which I can Prove if there be a Meeting Called. ... Hoping that you will Enquire into my Case.' Duggin was obviously clear on the procedures and anticipated the PLB referring his letter to the visiting committee. A postscript claimed: 'They Committee never Examines our Rooms Thy just comes to the Masters Parlour and never make an Enquiry of they inmates.'⁵⁶

Duggin was ultimately (and perhaps unsurprisingly, given that he highlighted criminality, breach of poor law rules, and multiple instances of personal and process tyranny) successful in securing an investigation by the PLB.

54 TNA: MH12/9162, 37187/1864, Letter from Michael Duggin, Tynemouth Poor Law Union, to the PLB, 6 October 1864.

55 TNA: MH12/9162, 44609/1864, Letter from Michael Duggin, Tynemouth Poor Law Union, to the PLB, 27 November 1864.

56 TNA: MH12/9162, 960/1865, Letter from Michael Duggin, Tynemouth Poor Law Union, to the PLB, 8 January 1865.

Four days after his last letter we see that inspector Edward Hurst took a formal statement from Duggin, at which time he reiterated the accusations. His personal complaints were not fully upheld. Although the medical officer testified that Duggin 'is not in vigorous health, having an enlargement of the heart', he was still to be allowed to pick oakum and to break stones as long as this was under a shed and not in inclement weather. His allegations of the master keeping pigs and fowls, of keeping a female in the house, and of allowing overcrowding in the days rooms were all upheld.⁵⁷ Duggin's first letters, then, initially resulted only in the PLB referring his case to the guardians to investigate and report on. His third letter, in which he added further allegations, seems to indicate some form of threshold was reached and thus an official inquiry was initiated and many of his complaints upheld. However, a reading of further documents around this case illustrates the prism through which the inspectorate viewed Duggin's complaints. In the workhouse report for October 1864, Hurst stated that there were several Catholic, Methodist, Baptist, etc., inmates – 'able-bodied paupers Excepted' – who were allowed to attend their own churches on Sundays. He continued that 'In consequence of a Complaint to the Board by M Duggin, an Inmate, a Committee propose to make arrangements, to allow Abled-bodied Inmates this privilege also'.⁵⁸ This suggests that Duggin had succeeded in securing for all non-Church-of-England inmates the entitlement to attend their places of worship regardless of their disabled or able-bodied status. However, by the time of the very next report form, capturing his visit in January 1865, Hurst stated that able-bodied paupers were excluded.⁵⁹ It is likely that the guardians were sensitive to Duggin's accusations and were critical of his writing to the PLB and unwilling to reward him for it.

In the case of the unnamed Southwell child, of Hannah Atkins at Kidderminster, and of Elizabeth Burbridge at Melton Mowbray, we might perceive the inspectorate incorporating some notion of pauper protection: the workhouse official who hit the child was warned not to do so again; medical officers in emergencies were to be requested immediately by senior staff; and, with the resignations of officers, sexual predators were removed. Duggin's case was rather more underwhelming in regard to his personal complaint but he was

57 TNA: MH12/9162, 1950/1865, Statement of Michael Duggin, Tynemouth Poor Law Union, taken under oath by Edward Hurst, Poor Law Inspector, 12 January 1865.

58 TNA: MH12/9162, 30279/1864, Workhouse Report Form, Edward Hurst, Poor Law Inspector, to the PLB, 24 October 1864. The committee referred to here was presumably the workhouse visiting committee.

59 TNA: MH12/9162, 2291/1865, Workhouse Report Form, Edward Hurst, Poor Law Inspector, to the PLB, 17 January 1865.

successful in securing a central investigation (itself important at a symbolic level) and was able to secure upheld claims against the management of the workhouse. Alternatively, in other central investigation cases we can see that members of the inspectorate sought to protect the Central Authority and the wider poor law system itself by the framing of allegations where events had ended tragically. In mid-February 1896 Hugh Thomas Leonard, an inmate of the Birmingham workhouse (Warwickshire), wrote to the LGB alleging that another inmate, Henry Fisher, was worked to death by being forced to do labour for which he was evidently unfit. Prompted by a copy of Leonard's letter being sent to the Birmingham guardians by the LGB, an initial meeting of the guardians committee ran their own investigation, censuring the medical officer and finding the labour master to have committed an error of judgement.⁶⁰ Leonard, however, requested a central inquiry at the very beginning of his letter: 'Sir, I beg leave to ask you if you would be kind enough to cause an inquiry to be made as to the death of Henry Fisher, a man who was an inmate of the able bodied ward untill an hour and 30 minutes prior to his death.' He described in detail Fisher's ill-health on admission to the workhouse as being apparent to other paupers if not to the medical officer who passed him fit for work, his subsequent still-deteriorating health that was ignored by the workhouse staff, and his ensuing death. He then returned to a request for an investigation: 'It has caused great excitement all over the building and an inquiry is really the only remedy.' The letter was heavily annotated by clerks and others at the Centre, clearly demonstrating that the case caused some excitement when it arrived in London too.

The annotations give us an important insight into the 'administrative mind' of the LGB as it decided how to manage indicators of tyranny. They noted that inspector Murray-Browne had met with the Birmingham board a couple of days before the date of Leonard's letter, where he 'heard nothing of the present case'. Another annotation suggested that 'It may be that the M.O. [medical officer] should have been called in earlier'. It was also noted that the central clerks had searched for any relevant former papers they might have on the case but could find nothing. An additional set of notes addressed to W E Knollys, assistant secretary (and probably written by Murray-Browne), shows that the Birmingham clerk *believed* (our italics) that the guardians would welcome an investigation and that 'we had better have an Inquiry'. Moreover, the same note stated that Fisher had 'ruined his constitution by drink: & would presumably have died in any case', and that 'The work he [Fisher] had done amounts to nothing'. The notes continued that any announcement of the inquiry should be framed as being in deference to the Birmingham guardians' desire as this

⁶⁰ *The Scotsman*, 29 February 1896, p. 11.

'will calm the public mind. After this the usual course may perhaps be followed.'⁶¹ Thus, much of the future investigation was already framed beforehand. Fisher was a reprobate and the LGB was not convinced of the need for a central investigation but undertook it because the Birmingham guardians wanted it (even though the case was not mentioned at all on Murray-Browne's recent visit). Only the question of whether the medical officer may have been called earlier suggested any potential fault by the local authorities. Indeed, the 'usual' course was followed. Murray-Browne ran the central investigation in early May, staff and inmates were interviewed, statements were taken, and the outcome was the same as that of the earlier guardians committee meeting.⁶²

The foregoing cases indicate the complexity of central and local relations in regard to complaints and investigations. The inspectorate was committed to the New Poor Law and was also pragmatic in its inspection practice. Yet it found its commitment sometimes challenged by pragmatism. Where complaints were made about guardians and union officers' ill-treatment and neglect, the inspectorate sometimes became defensive on 'its' unions' behalf, citing otherwise-exemplary management of union and workhouse. An example of this is an 1851 decision of inspector John Walsham. He suggested to the PLB that a letter of complaint alleging that pauper inmate visits from family and friends were restricted at the Great Yarmouth workhouse (Norfolk) might not to be passed to the guardians. Walsham wrote that the board were significantly improving the 'the loose administration of their predecessors' and might 'relax their meritorious exertions to reform abuses' if this and similar complaints were pursued.⁶³ These words point strongly to the way that the realization of petty tyranny could be unyoked from union type, regionality, or the big organizational and economic trends outlined in chapter 1. In other cases, such as that of Henry Fisher, it is clear that the inspectorate and London-based senior Central Authority staff combined to render the central inquiry an activity to secure the broad protection of the union in question and of their department in general. In this sort of situation, the active tolerance of petty tyranny across all three aspects of our definition of the term is striking.

61 TNA: MH12/13368, 23268/1896, Letter from Hugh Thomas Leonard, Birmingham workhouse, to the LGB, 18 February 1896. LGB staff assumed that the potential risk in this complaint would require the president of the board to 'see this case in its later stages'. Underlining in the original.

62 *Birmingham Mail*, 18 June 1896, p. 2. Hugh Thomas Leonard, the original letter writer, also gave evidence to the central investigation: see TNA: MH12/13368, 66239/1896, Witness statement of Hugh Thomas Leonard, Birmingham workhouse, to the LGB, 8 May 1896.

63 TNA: MH12/8634, 28816/1851, Letter from Thomas Cox, Great Yarmouth, to the PLB, 1 July 1851.

WORKHOUSE DISILLUSIONMENT

Growing up alongside the Central Authority and the poor law unions from their inception to the late 1830s was an opposition critical of the New Poor Law in its totality, or at least in regard to particular elements. A vigorous Anti-New Poor Law movement burned brightly (especially as the Commission looked to move from the relatively calm south to the more violent contests in the north), but by the late 1830s the ideals of the movement were part of a Chartist rhetoric and remained a thread in Victorian radicalism.⁶⁴ In this context, ideas about the abandonment of the New Poor Law were tensioned with another set of ideals developed not to end it but rather to reform it. Charles Dickens – best known, of course, for the publication of *Oliver Twist*; or, *The Parish Boy's Progress* between 1837 and 1839 – bequeathed perhaps the most evocative piece of British poor law literature; we examine the role of the novel in propagating tyrannical workhouse narratives in chapter 9.⁶⁵ Florence Nightingale, although more popularly regarded for her work in the Crimean War, was a serious poor law reformer. She established the first nursing school and provided the template for the subsequent nursing schools, and she was active in promoting professional standards of nursing care in workhouses.⁶⁶ Further medical reforms were prompted by Joseph Rogers, a poor law physician as well as an active poor law medical officer employed by the Strand and Westminster Unions (Middlesex). He was instrumental in the establishment of both the Association for the Improvement of London Workhouse Infirmaries and the Poor Law Medical Officers' Association, as well as supporting and assisting ministers in poor law reform legislation.⁶⁷ Louisa Twining established the Workhouse Visiting Society in 1858 for the 'moral and spiritual improvement' of workhouse paupers as well as providing a workhouse reform hub for others wishing to engage in similar workhouse reforming aims. Although the society had a short lifespan, it inspired and impacted on other similar individuals, committees, and associations.⁶⁸ One of the most dedicated of the individuals was Joseph Rowntree, probably connected to the Yorkshire Quaker community, who began informally 'inspecting' workhouses in the late 1850s. King and Jones have counted some sixty-two English and Welsh workhouses visited by Rowntree between 1859 and 1868, and he had his reports (as letters) published in some forty-seven newspapers and journals.

64 For the wider context, see Navickas, *Protest*.

65 C. Dickens, *Oliver Twist* (London: Richard Bentley, 1839).

66 Baly, *Florence Nightingale*, chapter 5; Wildman, 'Nurses'.

67 Richardson and Hurwitz, 'Joseph Rogers'.

68 Crowther, *The Workhouse*, p. 69. For a wider overview, see King, *Women*.

He reported on a wide range of petty tyranny, including detailed accounts of inappropriate task work, lack of paid nurses, poor ventilation, overcrowding, inadequate heating and bedding, and the harsh treatment of individuals. The sharing of his reports with the press amplified Rowntree's amateur inspection work and brought it to a wider audience.⁶⁹

The activities of these and many other individuals are important both in determining how much petty tyranny comes to our notice and for an understanding of how a 'feeling' or expectation of petty tyranny might develop. The New Poor Law placed paupers, and the wider poor, under the observation of union officers, staff, and the central inspectorate, albeit imperfectly. Yet the inspectorate, officers, and staff also found themselves under the observation of paupers, the wider poor, and their advocates. Surveillance thus worked both ways. Observation and comment from these informal quarters was a regular and routine aspect of New Poor Law life and constituted a shadowy underground line of information to the Central Authority. Some examples give a sense of the complexity and sophistication of the surveillance and reporting mechanisms that we are talking about. Arthur Firth – an advocate for the poor and a multiple letter writer from Barnsley during the 1880s and 1890s – complained in his first letter of the circumstance leading up to the admittance to the workhouse of Charles Wilkinson. The man died just seven hours after he entered, having been moved 'in a dying condition' and against his will, with the decision to admit him being taken by a medical officer and a relieving officer, neither of whom had visited the man. As well as reporting these 'facts', Firth asked for 'a full, and free enquiry to be made into all the circumstances of the painful case'. He requested an independent inquiry (by an LGB inspector), not trusting the local chairman to instigate and allow a fair visiting committee investigation. Another regular reporter was William Davies, who wrote a dozen letters to the PLB in early 1869 alleging widespread mismanagement of the Aberystwyth (Cardiganshire) workhouse. Among other complaints he claimed instances of fraud, absence of staff, irregular board meetings, the withholding of relief to labourers who refused below-usual regional wage rates (and if they refused were refused relief in turn), and the beating and humiliation of inmates.⁷⁰ This was a considerable litany of the tyrannies we visited in the preface, though all were explicitly legal. His initial letters led to little action by the PLB. In April 1869 Davies wrote again following a response to him from the Home Office after he escalated his concerns:

⁶⁹ Jones and King, *Pauper Voices*, pp. 39–72.

⁷⁰ TNA: MH12/15801, 1607/1869, Letter from William Joseph Davies, Aberystwyth, to the PLB, 5 January 1869.

I find by the Home Secretarys reply they have been transmitted to you Hond. Sir as I had begged shd be done for your guidance_ I feel truly grateful for the attention paid by the Home Secretary.

By this time I trust you have had some kind of an explanation to the charges made by me against the Aberystwith Board of Guardians collectively Individually & Officially.

By this time Davies's complaints were augmented and further details were added. Reference was made to a 'Special Meeting of the Board' that had been announced but did not take place.⁷¹ A meeting of the guardians was set for 26 April, and Davies was directed to attend. He declined, complaining of being given only a day to prepare his evidence and organize witnesses. The meeting went ahead regardless and was reported in detail in the local press. It began with Davies's letter listing the complaints. Mr Parry, the union chairman, stated that the guardians had instituted their own investigations into Davies's complaints and that it was likely that their report would be with the PLB very soon. Present at the meeting was inspector John Graves, who appeared there only as part of a routine visit rather than to make any investigation. Several guardians attending the meeting queried whether any inquiry at all was necessary, with W. Jones, the vice-chairman, claiming that the charges being made by such a disreputable individual should automatically be dismissed. This was unanimously agreed by the other guardians. Graves was unimpressed and asked if the charges were 'not sufficient to be investigated by this Board'. Jones countered that they were 'of opinion the charges are very serious, but knowing the person who makes those charges, we don't think it is necessary to enquire into them'. Graves's parting shot was that the PLB would make their enquiries regardless of the guardians' conclusions.⁷² Just as under the Old Poor Law, then, a broadly constructed non-official 'public' played an important role in surveiling, inspecting, and prompting action on the exercise of petty tyranny in the post-1834 workhouse. This was still, however, highly situational: an inspector other than Graves may well have done more to facilitate the actions of the guardians and their officers.

CONCLUSION

There has been a considerable focus in the wider welfare literature on national or regional scandals: on the breakdown of process or personalities that allowed

71 TNA: MH12/15801, 21396/1869, Letter from William Joseph Davies, Aberystwyth, to the PLB, 3 May 1869.

72 *The Cambrian and Merionethshire Standard*, 22 May 1869, p. 3.

poor (often fatal) practice, the inspection and monitoring regimes that failed to prevent it, the ways in which scandals magnified, and the changes to policy and practice that were supposed to result.⁷³ Such scandals are important, even if we accept that much equally bad practice never made it into such heightened public consciousness. In this chapter we have again focused on more everyday (though sometimes also fatal) tyrannies, and here too we find an inconsistent inspection and control regime. The absence of any centrally mandated, organized, and funded inspection body under the Old Poor Law could easily have fostered endemic tyranny across all the forms we identify in the preface. And we should be clear that there *was* much tyrannical practice. On the other hand, the parish and its workhouse were constantly engaging with insiders and outsiders whose letters and activities highlighted tyrannical practice and sought to confront it, either softly (through observation and record keeping) or more directly (through complaint, advocacy, and warning). As we observe, a system that nominally gave unlimited power to parishes and their officials in terms of relief decisions also, in its practical operation, limited the scope for that power to be wielded even if there was no consistency to this constraint over time, place, or parish type.

The New Poor Law established a central inspectorate that ought to have provided the protections and process-checking that the Old Poor Law did not. In practice, this inspectorate was ill-equipped to act as a protector to the pauper inmate. Although its remit for ascertaining and investigating claims of tyranny increased in the later 1840s, its staff numbers, as we have seen, subsequently fell significantly. Investigating abuse and neglect had been planned to be an issue enquired into and resolved primarily by local officials through the visiting committees considered in chapter 3. However, as part of the Centre's surveillance of local officers, central officials found themselves drawn into thousands of complaints of petty tyranny. Written grievances from paupers, the wider poor, and their advocates resulted in requests by the Centre to local guardians to provide their observations on such complaints. This involved the Centre in reviewing the copies of investigative local paperwork and in follow-up correspondence where the Centre were unhappy with initial responses. This was on top of the inspectorate's own planned investigations. Nevertheless, there is much to indicate that a significant focus of the inspectorate was the protection of individual unions and of the Centre itself. Only when threshold standards of local behaviour or inspection failures were breached – thresholds that are obvious from the records but that are never actually recorded or elaborated in a way that is tractable for historians or

⁷³ This is captured well by Shave, "Great inhumanity", and Shave, *Pauper Policies*, chapter 5.

would have been predictable for contemporary paupers – did the full potential force of the centralized inspection and control mechanism kick in. One of those thresholds was, to use the words of Mr Murray-Brown, whether a whole town – or at least the public that mattered – was ‘excited about’ a case. In this way, the potential for national and regional scandal was diluted; we return to this matter in chapter 9. Even so, the inspectorate’s control on the system was patchy at best across our period. Arguably, other actors – serial writers, amateur investigators, social investigators, and interested visitors: a sort of shadow inspectorate – played an important substitute and prompting role in the spaces where the 1834 legislation had planned for an inspectorate to be.⁷⁴ Whether these layers of engagement were as effective as their Old Poor Law counterparts is rather less certain, though the existence of local animosities within elite, administrative, and ratepayer groups (to which we turn in the next chapter) may have given more scope for practical action than is often acknowledged.

⁷⁴ An aspect of what Ogborn, *Spaces*, p. 237, evocatively labels ‘the uneasy intersection of the demotic and the official’.

Division and Animosity

At a meeting of 28 May 1787, the Chorley vestry authorized a subscription to the Westhoughton workhouse (both Lancashire) so that their paupers could be sent to the institution ‘upon the same terms as other subscribing townships are subject to’. The arrangement did not last long; on 5 June 1788 the same vestry approved the building of a dedicated town workhouse, and it was in operation by 1789. Sometime in the 1790s John Waddington had settled into a long-term ‘governorship’ of the institution.¹ Given the accumulated lessons of prior chapters, neither fluidity of policy nor the role of governor should surprise us. Yet, the workhouse minute book (which overlaps the vestry minutes) kept by those tasked with inspecting the workhouse provides important evidence of conflict. In a meeting of 7 January 1802 it was agreed that

John waddington the governor and governess of the workhouse be immediately discharged from acting as governor and that his accounts be inspected and examined [and] That robert miller of chorley and his wife be appointed as governor and governess of the workhouse in stead of john waddington and his wife.

By 14 January this temporary arrangement had collapsed and ‘lawrence ashurst of chorley and his wife [were] appointed to act as governor and governess in the workhouse in the room and stead of john waddington and his wife the present governor and governess’. This episode points to a remarkable lack of care and planning over the appointment of a workhouse master, a theme we take up in chapter 6, but it also hints at a considerable underbelly of conflict within the official hierarchy of the parochial poor law. This conflict played out in subsequent meetings. Thus, the workhouse governor’s house, which stood near the workhouse, was dispensed with (4 February 1802); Waddington was

¹ Chorley Public Library, Chorley Vestry Minutes, 1781–1823.

threatened with legal action if he did not attend a vestry 'and pay the money owing by him to the town' (1 April 1802); legal action was authorized (1 July 1802); and the parish was paid off '£3 being money lent by him [Mr William Bibby] to John Waddington the late governor of the workhouse' (5 August 1802). Thereafter, a rotating committee of local gentlemen was appointed to ensure more regular inspection of the workhouse. It was not until 7 November 1805 that we find any sense of restoration of trust between the workhouse committee and its officers, when actions were authorized to be taken 'at the discretion of the governor'. The trust was to be short lived. By 3 June 1807, the now unnamed governor was censured for allowing people into the workhouse without orders, for selling milk from workhouse supplies to private individuals, and for allowing John Parker to make off with cloth from workhouse stocks.² Such acts might be read as signalling both the likely exercise of tyranny and continuing fundamental division in the ranks of those who administered the Old Poor Law.

This chapter thus explores two deceptively simple questions. First, to what extent did the bodies/individuals who administered welfare agree with each other and with their subordinate officers? And second, what consequences for the realization of petty tyranny might flow from the answer to the first question? For the Old Poor Law we focus on the relationships between vestry members, between vestries and officers, and between officers and other parties in the parochial and extra-parochial world. For the New Poor Law we focus on Boards of Guardians, seeking to discover and explore temporal and spatial trends in attitudes. It is easy to account for local Boards of Guardians as single unified entities with joint values and goals, just as Old Poor Law vestries have sometimes been constructed in these ways. Yet, as we shall see, there was often fundamental disagreement between guardians over issues such as the treatment of the poor in the workhouses and over their tolerance of the three elements of petty tyranny as we defined them in the preface.

TYRANNY, DIVISION AND CONSTRAINT: THE OLD POOR LAW

The frequency with which parishes and their officers fell out with other places – even when they were tied to those places via formal agreement or contract,

² Chorley Public Library 5561, Chorley workhouse Minute Book, 1800–1818. These complaints mirror those made in other places, as for instance in the new Strangeways workhouse in Manchester: Redford, *The History*, p. 95.

such as Gilbert Unions³ – is a familiar part of the historiographical and source landscapes. Frustration with magistrates also sometimes boiled over into direct confrontation, as we saw in earlier chapters. For the 1830s and thereafter we have a clear sense both that intense long-term political, religious, and other grievances were played out across the elective/citizenship bodies emerging at the time, and that the administration of the New Poor Law in towns and cities in particular became highly politicized.⁴ In the context of the later Old Poor Law it is easy to assume less divided poor law governance. Almost every parish for which we have records were like Chorley and fell out with institutional governors and farmers. Some vestries also fell out with their subordinate officers (e.g. overseers) over bookkeeping, salaries,⁵ surveillance of the poor, control of vagrancy, and management of institutions. On the other hand, we frequently find evidence of officers (sometimes elected and sometimes paid) who served repeated terms with very little interference from ratepayers, including for instance the overseers of Lancaster (Lancashire) and Kirkby Lonsdale (Westmorland), each serving for more than fifteen years.⁶ And while select vestries were sometimes comprised wholly of larger ratepayers, this was by no means always the case, such that the social and economic distance between vestrymen and overseers (themselves normally ratepayers) might be very small or non-existent.⁷

The records of vestries themselves are sometimes punctuated by local scandal – often over accounting or control of the poor of the sort we encountered for Eling in chapter 2 – but their format guides us to decisions (many

3 Even after very considerable prior due diligence. Establishing a joint workhouse in Dorchester for the parishes of Holy Trinity, St Peter's, and All Saints required the solicitor concerned not only to keep a dedicated book and draft/full agreements but also the deposit (and clearly non-return) of overseers' accounts, vestry minutes, and guardian account books for the years 1817–18. DRO, D/ASH/B/X1, Papers of Andrews, Son and Huxtable, Solicitors, 1743–1837. For equally complex negotiations elsewhere, see LROW, DE/1113/25, Minutes of a Meeting to Establish a Poor House in Grimston, 1832.

4 Navickas, *Protest*, chapter 5; Fraser, 'The English', p. 25; D. Fraser, 'The poor law'; Ashforth, 'Settlement', p. 62.

5 In Croft (Lincolnshire), for instance, a request for salary increase led to a cascade of ill-feeling. See LIRO, Croft Parish 13/27/13, Letters to the Overseer, 1768–1839.

6 P. Jones and S. King (eds), *Navigating the Old English Poor Law: The Kirkby Lonsdale Letters, 1809–1836* (Oxford: Oxford University Press, 2020).

7 The newly constituted Enborne (Berkshire) select vestry comprised of notables such as the Earl of Craven and the local rector alongside William Garland, who was not literate and had to make his mark in the vestry book. See BRO D/P/51/8/1, Enborne Vestry Minutes, 1777–1848. Contrast this with the view of Brundage, *The Making*, p. 6, that amendment to the law on vestries in 1819 and 1819 placed power definitively in the hands of local elites.

controversial) rather than to the processes by which those decisions were reached. Diaries such as that of Robert Sharp of South Cave (Yorkshire, East Riding) or John Skinner of Camerton (Somerset) clearly show dissension between ratepayers.⁸ Paupers also anticipated that there was scope for such dissension, writing letters to individual vestrymen, ratepayers, vicars, or others they assumed would understand the need for Christian duty and asking them to intervene at the next vestry meeting. Few were as direct as Samuel Parker, who wrote to Uttoxeter (Staffordshire) on 30 March 1834 to argue that ‘Parish Officers brings a deal of Trouble both to the Rate Payers as well as to the Paupers’, but many other writers implied similar sentiments.⁹ Equally, however, the literature on the growth of the middling sorts (much of it relating to the period preceding the one we are interested in here) clearly identifies vestries and poor law functions as arenas where middling identity was claimed, formed, evidenced, and protected.¹⁰ Petty or episodic disputes may thus have had less meaning than we might imagine, especially where middling culture and identity were underpinned by deep or extensive kinship¹¹ and if we think of the apparatus of the state as being embedded in ‘a network of people, knowledge, powers and material objects’.¹²

Unpicking these complexities – rooted as they are in local and personal circumstance and ambiguous source materials – is not easy. Nonetheless, a codification of our data suggests three levels of division and animosity that influenced the scope for and the practice of petty tyranny: contractual, personal, and sentimental. At the *contractual* level, Stephen Mencher notes that while the 1819 select vestry act had attempted to ensure that officers obeyed the vestry, it did not set up a universal sanctions system such that decisions might still be subject to ‘the tribunal of the beer shop’.¹³ Before 1819, parishes had very limited sanctions outside of formal prosecution when their officials (even paid officials) simply failed to do what was asked of them,

8 J. Crowther and P. Crowther (eds), *The Diary of Robert Sharp of South Cave: Life in a Yorkshire Village 1812–1837* (Oxford: Oxford University Press, 1997), and J. Coombs and H. Coombs (eds), *The Journal of a Somerset Rector 1803–1834* (Oxford: Oxford University Press, 1971).

9 S. King, T. Nutt, and A. Tomkins (eds), *Narratives of the Poor in Eighteenth Century Britain* (London: Chatto, 2006), pp. 270–71.

10 Muldrew, ‘The “Middling Sort”’; Hindle, ‘The political culture’.

11 Lord, ‘Communities of common interest’, pp. 141, 162. Of course, middling inclusion was selective, as the experience of the middling Irish immigrant shows. See Miskell, ‘“Operating in the ethnic sphere”’.

12 Ogborn, *Spaces*, p. 232.

13 Mencher, ‘Introduction’, pp. 53–78.

through either neglect or deceit. For these reasons we can detect hundreds of cases like that of Chorley, with which we started this chapter. Clitheroe (Lancashire) vestry found itself recording frequent and repeated requests that individual officers make up their accounts, deliver surpluses, or simply do the bidding of the vestry.¹⁴ In Stoke Mandeville (Buckinghamshire), overlapping vestry minutes and overseers' account books in the 1820s reveal persistent failure by the overseer to enforce the decisions of the vestry, with the former routinely supporting those turned down by the latter, including in some cases on the very same day.¹⁵ This sort of contractual dispute was a feature of *all* the extended vestry collections we have analysed. Most of these encounters stopped short of prosecution but not all. For instance, the magistrate Samuel Whitbread recorded a December 1810 case where the workhouse mistress of Stanford (Bedfordshire) had allowed John Manning to get 'by stealth into the workhouse, presumably while her husband was absent. She was required to admit no other pauper without an order.'¹⁶

Repeated attempts at ensuring contractual compliance were underpinned by two intersecting strategies: the development, redevelopment, and enforcement of rules for officers of the sort we began to encounter in chapters 2 and 3; and turnover of those officers where there was infringement. At a meeting in Ringwood (Hampshire) on 3 May 1819, for instance, the vestry agreed to appoint an assistant overseer and set out eleven requirements for the role. The person appointed to meet these requirements lasted less than a year. Then on 5 May 1820 the newly appointed replacement, Joseph Warne, had a further four requirements – about the supervision of, the finding of, and the nature of work for the able-bodied – added to his contract. By 9 August 1832 the same contract included between nine and sixteen requirements depending on how we read the text.¹⁷ These contractual animosities simultaneously fostered tyranny and provided spaces and mechanisms for its confrontation and resistance. The turnover of officers generated situations in which workhouse regimes might rapidly deteriorate, while the need to appoint at short notice could easily put further unsuitable people in roles of power and governance, as we saw with the example of Chorley earlier. Moreover, the multiplication of rules for paid and unpaid officers across our sample should be read as vestries persistently discovering new things that could go wrong in institutional

14 LRO, DDX 28/257, Clitheroe Select Vestry Minute Book.

15 BURO, PR196/8/1, Select Vestry Minute Book for Stoke Mandeville; PR196/12/1Q-8Q, Overseers' Account Book for Stoke Mandeville.

16 A. Cirket (ed.), *Samuel Whitbread's Notebooks 1810–11, 1813–14* (Bedford: Bedfordshire Historical Record Society, 1971), p. 33.

17 HRO, 95M95/PV2, Ringwood Vestry Minute Book, 1810–50.

care and containment. Once again, the forces shaping the realization of petty tyranny in the everyday lives of the poor were local and situational rather than having clear temporal, spatial, or economic patterning. On the other hand, the existence of rules that could be known and that paupers and their advocates did get to know acted as a constraint on tyranny much as they were to do under the New Poor Law. More than this, the dismissal and direction of officers were public events – ones that highlighted the fragility of parish power structures for those inside and outside institutions.

Personal animosities might also have fundamental consequences. When the doctor Richard Kay sent a note to the parish of Tottington (Lancashire) on 16 May 1822 in order to ‘withdraw myself from the select vestry from this day’, he did so after an extended period of recrimination about the attempt of other vestry members to trim the allowances of the poor, especially their medical treatment.¹⁸ Perhaps he might have agreed with the portrayal of the story of an old man in the poem ‘The Pauper’s Fate’ reproduced in the *Scots Magazine* at the time of rising public concern about the poor law in 1800: ‘When health, and strength, and every comfort’s fled//Who in a poor-house hides his hoary head;//There, with a wretched, aged train, whose tears//Recall the pleasures of departed years,//Shares the poor scanty meal that pride supplies,//Unnoticed lingers, and unpitied dies’. The juxtaposition of neglect and the self-satisfaction of the parish in supplying inadequate food to an old man who had worked and contributed all of his life points definitively to the personal failings of vestrymen and their officers.¹⁹

Wider dispute over the use and misuse of ratepayer money also tended to focus on the activities of *particular* people. We are familiar with division based on the idea that officials and vestrymen were not being harsh enough in conserving parish resources. Sometimes, however, the very honesty of individuals/groups of vestrymen and officials came into question. Thus, in an unnamed Cornish town near Plymouth (likely Falmouth, given other reporting), the *Satirist Magazine* called attention to a fraud perpetrated by a subset of vestrymen. Significant charitable bequests had been made for the poor of the town, supporting a poorhouse. This being so, parishioners asked how it could be that ‘the unfortunate paupers [inmates] were, however, badly fed, worse clothed, and generally appeared in a state of wretchedness?’ In 1807 they were to receive an answer when a former ratepayer was obliged to enter the poorhouse having fallen on hard times. Being a man of intellect he ‘became a

18 MRO, L21/6/1/2, Tottington Overseers’ Bills and vouchers. The fact that the reverse of the letter was used to record the amount of gold, silver, and notes in the vestry cash box on 21 August 1823 suggests that this resignation remained easily to hand.

19 ‘The Pauper’s Fate’, *Scots Magazine*, 62 (1800), p. 756.

preceptor to the paupers, and also kept the governor's accounts'. The man was also tasked with whitewashing the walls and, when doing so, he 'discovered a closet in the wall, the door of which had been concealed by plaister'. Naturally curious, the former ratepayer inspected the contents and found that they included deeds and accounts that showed the bequests for the poor generating £1,000 more than was set out in the parish accounts. Keeping the matter secret he soon discovered that the surplus was 'divided amongst the parish *harpies*, while the indigent in the poor-house, to whose use it ought to have been appropriated, were suffered to *barely* exist, deprived of the necessities of life'. The former ratepayer conveyed the evidence to the families making the original bequests, allowing them to reclaim their assets.²⁰ Other evidence of disputes between those who held power in the parochial state is fleeting, often discovered by inference. Thus, the vestry at Preston Candover (Hampshire) ordered on 11 April 1823 that an iron chest 'shall be removed from the Revd. Thos. Williams' and thereafter kept in the church with the churchwardens keeping the key. We can only speculate what sort of dispute led to this action, but there was one.²¹ Parishes, as in the case of so many modern community groups, were clearly an amalgam of discontents.

These conflicts once again had complex consequences for the practice and experience of tyranny. Disputes at the vestry might interrupt inspection of workhouses, tie up parish officers in side-taking, and even threaten the collection of rates and thus the ability to sustain the institutional poor, facilitating tyranny by neglect or inaction. The dependent poor might even become the unwilling instrument of attack for one official or ratepayer on another – one aspect of our definition of tyranny by process. On the other hand, personal divisions could be extraordinarily long lasting, to the degree that the poor came to know the fault lines in parish governance very well. Indeed, some even argued that such governance was so fractured and shambolic that only magistrates could intervene to rectify the situation. Officials too lost patience with feeble governance in other places, with threats to use the law to compel proper treatment of the poor inside and outside workhouses a ubiquitous narrative in their correspondence.²² There were many places like Bampton (Oxfordshire) that, in 1799, ordered a workhouse inspection committee to meet 'after Evening Service in the first Sunday in each month for the purpose of conferring together and of hearing complaints from the poor who may not have been relieved by Mr. Pearse according to his agreement', with

20 'Domestic occurrences', *The Satirist, or, Monthly Meteor*, October 1807, p. 103.

21 HRO, 46M69/PV1, Preston Candover Vestry Minutes, 1811–12 and 1822–1921.

22 King and Jones, 'Testifying'.

the clear implication that such omissions might have been both deliberate and personal.²³

It was, however, conflict at the *sentimental* level that carried the greatest consequences for the poor. When Henry Burstow was setting down his recollections of Horsham (Sussex), he remembered the Old Poor Law workhouse as a 'dismal kind of place'. Political dispute and paralysis over a whole range of issues in the town meant that no one much cared about the site in the closing years of the Old Poor Law, facilitating breathtaking abuse of the sort that we identified in the preface as a subset of petty tyranny. Burstow recounted the story of a 'raving maniac' called Evans 'who occupied one cell for 22 years, and was only released by grim death'. The mixing of the sane and insane in parish workhouses was much more common than Burstow allowed, and it does not of itself speak to tyranny.²⁴

A second story definitively does, though: Evan's daughter occupied the cell after her father 'who was there in chains'. Burstow could not be sure how many years she remained in this state, but it was a significant period, during which:

She was kept, as it were, on show, visitors being allowed to look at her through iron bars in the door, and watch her cultivating the friendship of rats – rats of enormous size, which she used to nurse in her lap and feed from her hands. Upon the slightest noise by visitors the rats would disappear leaving the poor maniac convulsed with rage and uttering the most awful imprecations upon their disturbers.²⁵

This story encapsulates some earlier themes from this book – casual disregard by the workhouse governor, inspection of workhouse sites by members of the general public, and some of the symbolic and personal tyrannies outlined in the preface – but it has particular force here because it was the outcome of division and animosity at the highest levels of town administration. It was not merely personal or contractual: it was a question of sentiment. In this story, the dimensions of the division between parish elites cannot easily be seen, though it was clearly there. Other cases provide more focused evidence of frictions over sentiment. Thus, on 7 January 1791 the vestry at Thatcham (Berkshire) convened to consider a report by the churchwardens and overseers

23 ORO PAR/16/2/A1/2, Bampton Vestry Minutes, 1792–1858, ff. 4, f. 6, f. 16.

24 Ritch, 'Workhouse or asylum?'; Smith, 'Lunatic asylum'.

25 H. Burstow, *Reminiscences of Horsham Being Recollections of Henry Burstow the Celebrated Bellringer & Songsinger* (Horsham: The Christian Church Book Society, 1911), p. 28.

on 'the situation of the poor' in the parochial poorhouse. The inspection had been occasioned by a report from a vestry member that the poorhouse and its inmates were in a filthy state. This new report partly contradicted the previous assertion but noted that the officers had 'used their utmost endeavours to cause the same to be cleansed'. The governor of the house was reproached but 'indulged' to remain in post until the following Easter under the superintendence of two vestrymen and with the threat that a 'report of any misconduct or neglect by the Governor' would be met with instant dismissal. The way that this case captures so many of the themes of this volume is remarkable, but here it has three especially important lessons: that prior to 1791 the churchwardens and overseers had lost control of the oversight of the poorhouse; that they were found out because of the efforts of one or more vestrymen, who had presumably taken the trouble to investigate rumours; and that there was an ongoing culture of mistrust between the vestry and its officers. In other words, the *sentiment* of the vestry had changed.²⁶ By the 1820s, the vestry was regularly dismissing its clerks and poorhouse governors, and between 1825 and 1827 it threatened their overseers with summonses seven times.²⁷ The view of William Wood that the 'control exercised by the overseers [in Sussex] was complete' finds little support here.²⁸ Rather, there were stark divisions of basic philosophy and sentiment on the rights of the poor and the obligations of ratepayers, with the ascendent view having significant potential consequences for the breakthrough of tyranny at any period.

TYRANNY, DIVISION AND CONSTRAINT: THE NEW POOR LAW

The picture is no less complex under the New Poor Law. Here we focus primarily on division and animosity *within* individual Boards of Guardians, but it is also important to acknowledge the potential for significant discord between several sets of local poor law officials, even if the evidence itself might be difficult to wrest from the archival record. Thus, in April 1862 William Stannard Allen wrote from Great Yarmouth (Norfolk) to the PLB concerning Caroline Allen, his mother, who in William's words had been committed to prison 'for no other offence, than that of extreme poverty – being unable to pay her poor rates'. William stated that his mother had not the means to pay,

26 BRO, DP/130/8/1, Thatcham Vestry Minutes, 1814–37.

27 On the precarious place of paid assistant overseers in this matrix, see Tomkins, 'The overseers' assistant'.

28 A. Street (ed.), *A Sussex Farmer, by William Wood* (London: Jonathan Cape, 1938), p. 54.

and that he was also unable to help keep her from jail in this case because of his own poverty. He asked the PLB to intervene and have 'his oppressed Mother released from her undeserved imprisonment'. The letter itself makes no mention whatsoever of dissension or hostility within local officialdom. However, the annotations made by John Walsham, the relevant poor law inspector, make interesting reading, especially when set against another case from Great Yarmouth outlined in chapter 4, with the two together clearly suggesting extended tyranny linked to a single place. An initial note made the usual comment that the PLB could not interfere and that they would send a copy of the letter to the guardians for their observations. Walsham, though, suggested that in this case they omit the latter part of the proposed response as 'There has been so much confusion and ill blood for such a length of time in Yarmouth between Guardians, Magistrates, Overseers and Vestry men about the collection of Rates'.²⁹ The case illustrates not only how division and animosity might surface at a local level but also points to how such division would disadvantage paupers. He considered that it was unwise for the PLB to become enmeshed in such discord by writing to the Great Yarmouth guardians as William would have hoped.

Other cases proved more problematic for the Central Authority, especially where bad blood across guardians, magistrates, and parochial officers extended or deepened to a more personal and individual one-to-one animosity of the sort we have seen under the Old Poor Law. Thus, in late 1905 Lena Wilson, one of the Poplar (Middlesex) guardians, was summoned at the Thames Police Court for striking Mr Diamond, her fellow guardian, across the face. Diamond claimed: 'She did it twice, once at a Workhouse Committee meeting, and again at a meeting of the General Purposes Committee, and on each occasion it was one without provocation.' Wilson's husband had a connection to a firm that had submitted a bid for a contract with the union. A letter had been received by this firm insinuating that Wilson and her husband had financially benefitted from her role as a guardian through her husband's connection to the firm, being thus able to provide goods or services to the union. These thoughts had already been expressed by Diamond, and Wilson believed Diamond was the letter writer; he was not.³⁰ It is likely that at the root of the division was the accusation of poor and lax administration by the Poplar

29 TNA: MH12/8639, 13989/1862, Letter from William Stannard Allen, Great Yarmouth, to the PLB, 20 April 1862.

30 *Reynolds's Newspaper*, 12 December 1905, p. 8; *Eastern Post*, 25 November 1905, p. 7; *Morning Leader*, 13 July 1906, p. 5. Diamond had 'said [rather than written] that she lived on the premises where the contractors had an address, and that her husband managed the firm'; none of which assertions Wilson challenged.

guardians. This was fully investigated in 1906 and the guardians (who even at this time were increasing out-relief to the annoyance of some of the bigger ratepayers) were exonerated.³¹ Wilson was a socialist and a member of the Social Democratic Federation, and by 1905 she had been a member of the Poplar board for a decade.³² On the other hand, Diamond was part of the local business community: he was a senior manager for the Singer Sewing Machine company.³³ The outcome of the physical altercation was that Wilson was bound over for six months while Diamond had to unreservedly withdraw any allegation of dishonourable or illegal behaviour on the part of Wilson. The LGB was drawn into the case not because of the physical altercation but rather because of the various allegations of lax practices³⁴ and of increased outdoor relief payments.³⁵ This case, then, is illustrative of the potential for guardians to know the details of proposed bids for foods and services to workhouses and then to supply (or conspire to supply) lower bids. Such proceedings could obviously lead to tyranny by process, in which cheaper and lower standards of workhouse services and goods might be purchased and pauper lives impacted by the same.³⁶ They are also illustrative (particularly from the later-nineteenth and early-twentieth centuries) of how shifts in the political constitution of Boards of Guardians might be used by traditionally minded guardians to counter their progressive colleagues and push back on more liberal notions of how unions should operate.

Yet, it was potentially more routine divisions within Boards of Guardians under the New Poor Law that held more important consequences for the breakthrough of tyranny, even if the visibility of such divisions in the secondary literature is muted.³⁷ A glance at the online domestic newspapers

31 R. Ensor, 'The Poplar Poor Law Inquiry', *The Speaker: The Liberal Review*, (1906), pp. 401–2. Ensor concluded that the inquiry 'was from a judicial standpoint very unsatisfactory'. He contended that the legal rules of evidence were not applied, that 'hearsay charges' were commonly made, and that the 'the guardians were condemned daily by innuendo headlines and savage cartoons which nothing in the actual evidence justified'.

32 Hannon and Hunt, *Socialist Women*, p. 34.

33 TNA: RG 14/1668/414, 1911 Census.

34 Ensor, 'The Poplar', pp. 401–2. See also *Western Mail*, 13 July 1906, p. 4.

35 The Poplar board at this time (as they would post-war) had a pronounced labour influence, encouraging other boards or guardians to make greater outdoor and indoor provision than the Central Authority planned. See Englander, *Poverty*, p. 23.

36 For wider context, see Brown, "The caprice".

37 Crowther, *The Workhouse*, pp. 75–80. Driver argues that divisions of opinion in the early years of the Huddersfield Union were likely to stem from local parish and township loyalties; Driver, *Power*, p. 135. On divisions within the Lancaster Board of Guardians throughout the 1870s, see Quinn, 'Men of Yesterday', p. 12.

in *The British Newspaper Archive* illustrates, without any need to enumerate specific cases, that such disagreements across multiple subject matters were legion. A search quickly finds disagreements within the Exeter (Devon) guardians regarding compulsory vaccination in 1865, a dispute among the Crowan parish (part of the Helston Poor Law Union, Cornwall) guardians in 1883 in regard to the relief application of an elderly couple in the parish, and a dispute between guardians at Bakewell (Derbyshire) in 1910 over the recommendation that visiting times to workhouse inmates be restricted. Indeed, newspaper coverage of Board of Guardians meetings demonstrates that actual and potential division and animosity between guardians appear to have been the norm.³⁸

An investigation of case typologies carries this observation forward. For example, we find significant instances where cliques of opposing guardians disagreed. Thus, at Southwell (Nottinghamshire) in 1847, Thomas Marriott, the Southwell Union clerk, wrote to the PLC, enclosing a printed petition from the guardians against the Poor Removal Act 1846.³⁹ The printed petition, addressed to 'THE HOUSE OF COMMONS', stated that the 'true meaning' of the act was difficult to determine, that official advice was confused, that the act was unfavourable in regard to the poor, and that it created 'great injustice' between parishes. This petition from the Southwell guardians made the rounds of the local press, which presented it as an uncontentious agreement of the board rather than what it was: a petition.⁴⁰ So far, so ordinary. However, if we step back from the petition itself, we can see this was not a 'usual' piece of correspondence. The covering letter was not written on the normal headed notepaper of the union and was not introduced with the usual 'I am directed by the Guardians of this union ...', with which Marriott almost invariably began his letters. Instead, Marriott's letter was written on a smaller paper size (octavo). Not being a letter on behalf of the guardians, a fact he made clear, it feels like a more personal and intimate object. The petition, which he claimed was the only one he had been able to obtain, was sent 'to let you see what is going on',⁴¹ and what was going on was furtive and divisive. An undated note (received by the PLC the following week) confirms this and explains that

38 *Western Times*, 13 October 1865, p. 3; *The Cornish Telegraph*, 1 March 1883, p. 6; *The Sheffield Independent*, 14 June 1910, p. 5.

39 The act had the effect of transferring costs from rural to urban parishes and this may have been the underlying provocation in this instance.

40 *Nottingham Review*, 22 January 1847, p. 3; *Derbyshire Advertiser and Journal*, 15 January 1847, p. 2.

41 TNA: MH12/9528/3, Letter from Thomas Marriott, Clerk to the Guardians of the Southwell Union, to the PLC, 14 January 1847.

while the petition had indeed been signed by several Southwell guardians, 'the Principal Gentlemen refused to sign such a document – amongst them was the Chairman of the Union'.⁴² Clearly, the initial petition was presented so as to suggest that the criticism of the Poor Removal Act was an agreed censure of it by the Southwell Guardians as a whole. This matters for petty tyranny in the sense that it generated potentially hostile practice in relation to transient paupers.

The cases of Great Yarmouth and Southwell suggest that groups within cliques of guardians faced each other with relatively substantial numbers on either side. Even the case at Poplar, in which only two guardians clashed physically as well as verbally, suggested a political hinterland behind each. There are substantial numbers of cases, however, where one or two individuals created a fractious atmosphere within a board, sometimes informed by complex combinations of personal spite and dislikes or disagreements on individual relief cases. Thus, we find evidence through newspaper commentary of endemic rancour in the mid-1890s Aberystwyth (Cardiganshire) Board of Guardians. In early December 1893 it was reported

that since Mr. C. M. Williams was disappointed in not being elected Chairman of the Board of Guardians, he seems quite unable to work smoothly with his fellow Guardians. Altogether there seems to be a good deal of quite unnecessary fraction and want of harmony because the Board decline to be bossed by one man.⁴³

Later in the month, the same board were debating the widespread removal of inmates from the county asylum to the Aberystwyth workhouse without relevant certificates and associated paperwork.⁴⁴ Williams, who was acting chair for the meeting, suggested that a report compiled by the medical officer on the subject be submitted to the board, adding rather pointedly that 'he was not going to assume what the report might be'. This then led to other guardians protesting, while one demanded that such 'sarcastic remarks should be kept out' of board meetings; Williams snapped back that he had not been speaking in a way unworthy of a chairman. Bad feeling continued through the same meeting while guardians were assessing individual cases, and eventually one of the members stated that 'the meeting was conducted

42 TNA: MH12/9528/6, Initialled note to the PLC, January 1847. For the effect of the Poor Removal Act 1846, see Englander, *Poverty*, p. 21.

43 *The Montgomery County Times and Shropshire and Mid-Wales Advertiser*, 9 December 1893, p. 7.

44 On the certification process, see McCandless, 'Liberty and Lunacy'.

in a hole and corner manner', meaning carried on in a rather clandestine way. This accusation led to further bickering, with some guardians protesting that such a comment should not be allowed to pass while others denied making or hearing the accusation.⁴⁵ This sniping appears to have been a common feature in Aberystwyth at this time even though its root cause was unspoken. What is clear is that personal animosities had entered board meetings, making even the routine procedural work of the board awkward to manage. There are many more cases like these, and they give us a sense of geographically and chronologically endemic inter-guardian division. It is, however, really only through detailed case studies that we see the impact of such divisions as they affect the tyrannies experienced by workhouse inmates. It is to this issue that we now turn.

ANIMOSITY AND TYRANNY: TWO CASE STUDIES

In 1881 Micheal Moore, a fifty-seven-year-old labourer living in Birmingham (Warwickshire) and working for the Birmingham Corporation, died while working at the corporation stone yard. His death and the subsequent refusal by Mr Ridley, one of the Birmingham relieving officers, to relieve Ann, his widow, and their seven children⁴⁶ eventually came under a local inquiry. The case was widely reported in the Birmingham press as well as doing the rounds of the London and provincial newspapers during September and October 1881. The Moore family was a poor one. Micheal had experienced several episodes of unemployment over the last years of his life.⁴⁷ In November 1880 Ann was given an order for the workhouse, and in April 1881 she and several of the children became workhouse inmates, while Micheal, with Ann's specific and articulated approbation, sought work outside.⁴⁸ This case is, then, one of a family looking to avoid the workhouse as and when they could – one of the consistent themes of this volume.⁴⁹ As an example of their poverty, Ann stated at her husband's inquest that earlier in the year, at a time when the bailiffs had turned the family out of their home, she approached Ridley for relief. He had refused any outdoor relief and told Ann she must go to the workhouse

45 *The Montgomery County Times and Shropshire and Mid-Wales Advertiser*, 16 December 1893, p. 6.

46 *Birmingham Mail*, 21 September 1881, p. 2.

47 This was a classic case of 'honest poverty': see Levine-Clark, *Unemployment*, pp. 1–12.

48 *Birmingham Daily Mail*, 23 September 1881, p. 3; *Birmingham Daily Post*, 23 September 1881, p. 4.

49 King *et al.*, *In Their Own Write*, pp. 225–6.

and sleep in the tramp ward. Forced to accept the offer, a pregnant Ann was reduced to being turned out of the workhouse in the morning and walking the streets all day. Following her confinement she and Micheal set up home again in a rented room. Evicted when unable to pay the rent, they moved again, this time to Lawrence Street, and it was at this time that Micheal secured low-paid work at the corporation stone yard. Ann supplemented his wages through taking in washing and cleaning work. She stated that at that time the family was destitute but unwilling to seek relief because of Ridley's past aggressive behaviour towards her relief applications.

Unable to secure relief or the required level of wages, Micheal ate sparingly. Allegedly malnourished and ill, he died at work while pushing a wheelbarrow full of stone. The coroner ruled that Micheal died of natural causes and starvation. At the loss of her husband, the principal wage earner in the family, Ann was forced to seek relief from Ridley for herself and her children. When she did so, Ridley asked where her husband was, and she told him it was her husband who had died at the stone yard. She asked for a loaf for the children, but Ridley refused relief unless she brought proof there were no monies to come from any club.⁵⁰ Ann broke down: 'for God's sake Mr Ridley, will you give me a loaf? We have not broken our fast this day.' Ridley though held firm and reiterated that he needed a note from the club, after which he would seek to validate the truth of the note from the club itself. The widely reported inquest into Micheal's death covered the poverty of the family; their attempts to avoid long residence in the workhouse; the death of Micheal himself; and, of course, the treatment of Ann as she requested relief in the aftermath of her husband's demise. The tyrannies thus described are multiple and speak to every level of our tripartite definition of the term.

The out-door relief committee's investigation into the case reportedly involved a large, lengthy, and fractious meeting. A close reading of the press accounts shows a definite division among the guardians: some sought to recommend Ridley's suspension from office followed by a central investigation, while others believed that a censure from the chairman would be sufficient. Many of the committee guardians rehearsed arguments that would be reused in their future full meeting. Mr Bloor recommended a censure. He stated that those who leaned towards a greater sanction should remember that the relieving officers had to deal with large numbers of 'very curious characters' that might seek undeserved relief.⁵¹ Mr Clayton agreed and, while he accepted that Ridley's tone of speaking with the poor was harsh, he believed such language

50 Club in this context meant friendly society. For an overview of the activities of this sector, see Cordery, *British Friendly Societies*.

51 For context, see Strange, 'The relieving officer'.

was not confined to Ridley and that such discourse was explained when the 'impositions' (pauper lies) that such officers endured were kept in mind.⁵² Mr Preston somewhat agreed with both, stating that while he had little sympathy with Ridley's language, he believed a censure was adequate. Mr Bishop reminded the meeting that Ridley had been an 'efficient and faithful' servant of the board for the last nineteen years and was highly regarded by his fellow relieving officers.

Mr Smith, however, thought the recommendation of a censure did not go anywhere near far enough. He put forward an amendment for Ridley to be suspended for neglect of duty and for the LGB to be contacted with a view to securing a central inquiry leading to the officer's dismissal. Dr Barratt, who seconded the amendment, said that the first duty of a relieving officer when the woman came to him in a destitute condition and begging for bread should have been to give her relief at once rather than directing her to the workhouse. Mr Larkins agreed, stating that the ratepayers would not be satisfied with mere censure. Mr Robinson also supported the amendment, stating he could not conceive of a worse case and contrasting Ridley's behaviour with that of Micheal's fellow labourer and friend, Mr Narry, who lent his own boots to the family to pawn, thereby enabling the family to purchase much-needed food. Mr Loughton also supported Ridley's suspension and a central inquiry, pointing out that if Ann could have expected 'kindly or even fair' treatment from Ridley, as opposed to the constant threat of the workhouse, she may have applied for relief prior to her husband's death.

Loughton stated that he had made inquiries of his own and found that Micheal had a reputation as a good worker. Ridley, on the other hand, was known as a severe relieving officer and people were downright frightened by him; Loughton said that he had been inundated with complaints about Ridley's conduct. Mr Clucas supported suspension and opined that the case was one of an emergency in which the officer should have given relief. He also warned the committee that had Ann made a claim for relief the day before Micheal had died, and had Ridley refused emergency relief as he had the next day, then he may well have found himself committed for manslaughter. He very much spoke in favour of Ridley being made an example of, and he thought 'that the relieving officers had got into the practice of treating the poor not as human beings, but as mere animals', a clear summation of multiple tyrannies. One of the guardians, Mr Manton, reflected that the guardians themselves 'were in some way' responsible for these tragic events. He asked:

⁵² The assumption of fraud by default among the poor is explored in King, *Fraudulent Lives*, preface.

Was it not a fact that during the last twelve months the lines of out-door relief had been very much tightened indeed, and that they had, almost in so many words told the officers that the Board ought to put an end to out-door relief if it could? (Hear, hear.) Therefore he thought they ought to take to themselves some of the blame which attached in the present case. Some of the members would stop out-door relief altogether if they could. He admitted that Ridley was deserving of censure and possibly more; but their own hands were not entirely clean.

At the end of the meeting the outdoor relief committee voted fourteen to eleven in favour of the amendment to recommend suspension and seek a central inquiry with a view to dismissal.⁵³

A special meeting of the full Board of Guardians was called for 28 September. It began with a reading of a letter from Ridley in which he claimed he had acted within the strict regulations (a signature claim for those exercising petty tyranny) when dealing with the Moores' case, asserting that the press had unfairly built a sensational account of the man's death and his wife's treatment. His only fault (in his view) was not visiting Ann following her application, which he now regretted. The recommendation of the committee was read and moved by Mr Bladon, the committee's chairman, and seconded by Mr Smith (mover of the initial recommendation at the committee's earlier meeting), who asserted that he could not find strong enough words to condemn Ridley's behaviour. These men took the position that a central inquiry with a view to dismissal was required. Other guardians took a similar line, but Mr Shelley spoke against the recommendation and suggested an amendment by which Ridley would be called in to be severely censured by the chairman. Shelley also added, in an attempt to undermine Ann Moore's character, that she had been in receipt of relief once or twice a year for the last fifteen years and was thus a seasoned pauper. Seemingly taking a lead from Ridley's letter, Shelley agreed that 'a sensation had been got up' and that the guardians and the town itself had been slandered by the press. Mr Bishop agreed with both Ridley and Shelley that the local press was to blame for much of the excitement surrounding the case, and, like Shelley, Bishop condemned Ann's character, describing her as an aggressive drunkard who had engaged in violent and destructive behaviour. Mr Dyson thought it unfair to have Ridley dismissed after nineteen years' service. He also considered that the Moores should have entered the workhouse, and he echoed earlier comments that perhaps they and others avoided it because drink and tobacco was not so available there. Messrs Bowkett, Ryland, Jerrett, Simcox, and Clayton took a

⁵³ *Birmingham Mail*, 23 September 1881, p. 2.

similar line, between them arguing that Ridley did not speak sharply to cases he considered deserving, that he was kind to applicants when there was no reason to suspect them of lying or drunkenness, that the union had improperly (and by implication leniently) sanctioned the wife and children's relief in the workhouse earlier in the year while the husband was outside, and that a letter praising Ridley's 'excellent character' was written by Mr Wilson of the Unitarian Chapel in Lawrence Street.

A second group of guardians countered these points. Mr Jarvis stated that the press had done their job in bringing such a case into the public sphere, and that if it were not for the newspapers, many of the guardians would have been ignorant of the case.⁵⁴ Rebutting Bishop's accusations against Ann, Jarvis claimed he had made enquiries in the locality into both Micheal and Ann's character and found them to be 'of impeachable character, and industrious and sober people'. Mr Suter stated that they should have a full investigation. He thought it preposterous that 'the poor hard working man and the idle fellow' should be dealt with the same way. He also pointed to a more general disagreement on policy between the guardians when he claimed that 'this was the greatest blow the advocates of the hard and fast lines of relief had ever sustained', with Mr Bishop replying: 'Nonsense.' This demonstrated a clear fault line: some guardians had for some time argued that outdoor relief be cut back while others had tried to maintain it. Dr Barrat agreed that the Birmingham newspapers were essential in bringing the case to light and had given a very fair history of events. He regretted that there had been an attempt in the meeting to disparage Ann's character and made the point that this was a deflection and not the matter under consideration. The issue was the behaviour of a relieving officer who had already refused her any relief beyond that reserved for a vagrant (which Ridley knew she was not) in the workhouse. As the meeting came to a close, the amendment was carried by twenty-four in favour and twenty against.⁵⁵

The anti-suspension guardians were only a small majority, but they had played their hand well. An internal memo between Edward Sutton and John Lambert – respectively the chief clerk and permanent secretary at the LGB – shows that they had seen newspaper accounts of the Moores' case and, as a result, had obtained copies of the coroner's depositions. The note also referenced a report from the *Local Government Chronical* dated 8 October detailing the committee's recommendation to suspend Ridley and apply for a central inquiry but noting that the full meeting of the guardians rejected

⁵⁴ On the wider operation of the nineteenth-century press in this capacity, see Hobbs, *A Fleet Street*.

⁵⁵ *Birmingham Mail*, 23 September 1881, p. 2.

this and immediately censured him. In so doing they effectively closed any potential appeal for investigation that might have arisen if they were to leave time for the pro-suspension guardians to contact the LGB separately. In his note Sutton stated that the depositions gave no clear indication of blame and that although 'at present' the case did not warrant an official inquiry, nonetheless 'we have no official knowledge of any investigation been made'.⁵⁶ The first *official* piece of correspondence was received by the LGB in mid October, where the guardians explained the case, the committee investigation, and the full guardians' meeting at which Ridley was censured.⁵⁷ The story is an important example of tyranny by person, by process, and by inaction, and of two opposing groups of guardians being strenuously opposed to each other over indoor/outdoor policy.⁵⁸

Our second case study (and one set in a very different spatial and socio-economic context) confirms and extends the lessons from Birmingham in respect of both division and its impact on the everyday experiences of the workhouse poor. In May 1857 John Nanson, one of the guardians of the Carlisle Poor Law Union (Cumberland), wrote to the PLB. His letter concerned a local investigation that had been undertaken into an allegation of assault against Mary Irving, one of the paupers at the St Mary's workhouse in the Carlisle Union.⁵⁹ The St Mary's workhouse housed the union's infirm and lunatic indoor paupers, and most of the records relating to Irving describe her as a lunatic or an imbecile woman.⁶⁰ Nanson wrote that Irving had been assaulted by Mr Woodall, the workhouse master: the allegation being that he pushed her down the stairs, used a water pipe to douse her with cold water, and also struck her. Nanson said he had obtained the information about the

56 TNA: MH12/13338, 92628, Internal note, Edward Sutton to John Lambert, Local Government Office, October 1881. Underlining in original.

57 TNA: MH12/13338, 97141, Letter from Walter Bowen, Birmingham Vestry Clerk, to the LGB, 18 October 1881.

58 Attempts to improve the treatment and privileges of the 'deserving poor' in the Birmingham workhouse were voted down twelve votes to eight in 1897 and, more emphatically, by twenty votes to six in 1899. In 1898 there were 'merit' wards created for the deserving elderly poor but they omitted room for men and women dining together, and the idea of 'separate cubicles within the sleeping accommodation and the provision of a locker and key for each inmate were considered unnecessary'; Ritch, 'English Poor Law', pp. 71–2.

59 Until the opening of the Carlisle Union workhouse on Fusehill Street in 1863, the Carlisle Union had three separate workhouses: St Mary's, St Cuthbert's and Caldewgate.

60 See, for example, TNA: MH12/1595, 18823/1857, Petition from the ratepayers of the Township of Caldewgate, Carlisle, to the PLB, 26 May 1857, where she is described as 'a poor old blind imbecile woman'.

assault while sitting with the Carlisle visiting committee members as they investigated the evidence against Woodall when the case came to light. Here, then, we have a case of a routine local investigation by a visiting committee. However, we also have a guardian (Nanson) who claimed that although the committee members were in possession of strong evidence against Woodall their report to the following full meeting of the guardians suppressed any evidence that Woodall struck Irving or pushed her down the stairs. Nanson referenced another guardian named Mandele and stated that the two men believed it to be their duty to inform the PLB that efforts were made to prevent any copy of the investigation being sent to them. Nanson included a copy of the guardians meeting published in the *Carlisle Patriot* in which a reference to suppressing the report was made. He further stated that other accusations of ill-treatment against Woodall had been made (a clear narrative of sustained tyranny connected to place) and that an official central investigation should be instituted to inquire fully into Woodall's conduct.⁶¹ Three witness statements (not registered as coming into the PLB's office together but dated the same as Nanson's letter) gave evidence against Woodall. Two of these – from Thomas and George Johnson, brothers who lived in a building adjoining the workhouse – said they saw Woodall turn the waterpipe on Irving, that he pushed her and caused her to fall against the workhouse stairs onto the floor, and that she was struck twice. George stated he could hear her crying. James Ferguson, an eleven-year-old boy and the third witness here, stated that he heard a woman shouting 'murder' and he saw Woodall lay the pipe down in order that he could run back to the taps to make the water flow more powerfully.⁶²

Although it appears that only a couple of guardians stood up to the ruling clique, Nanson and Mandele were successful in securing their central investigation. The collection of letters and witness statements dating between June and September demonstrates that two such investigations took place in Carlisle led by Edmund Hurst, one of the poor law inspectors. The division within the guardians, and particularly the letter writing of Nanson, increased the number of allegations against Woodall, and in fact Hurst's report set out five separate charges: (1) turning the water pipe on Mary Irving several times between late 1856 and mid 1857; (2) turning the water pipe on Matthew Caruthers until he was soaked; (3) taking away the undergarments of James Connor, 'a delicate and infirm pauper', and allowing him no others over the

61 TNA: MH12/1595, 18389/1857, Letter from John Nanson, Carlisle, to the PLB, 23 May 1857.

62 TNA: MH12/1595, 18289/1857, Witness statements of Thomas Johnson, George Johnson, and James Ferguson to the PLB, 23 May 1857. The archive explaining the case is huge and runs to several hundred pages.

winter of 1856–7; (4) allowing John Hughes, another pauper, to be removed from the fever hospital, put in a hot bath, and then having cold water poured over him; and (5) kicking and striking John Boyle, an ‘idiot pauper’.⁶³ After digesting Hurst’s report the PLB wrote to Woodall demanding his resignation and, at the same time, to the Carlisle guardians informing them of their decision.⁶⁴

Over the next few months there were a series of letters from Carlisle asking the PLB to reflect on and reconsider their decision. A petition from 323 ratepayers in support of Woodall was sent to the PLB just prior to their letter asking for Woodall’s resignation, and in early November the guardians sent resolutions in his favour. The latter communication also contained a copy of the master’s resignation letter, but the guardians included it for the express reason of stating that they refused to accept it. This gave a strategic advantage to the PLB, which countered that the fact he had tendered his resignation meant the post was vacant and that the guardians must now move to fill it. This left the union in a bind as they would need the PLB to confirm any new appointment, thus leaving the advantage with London, who declared that Woodall did not possess the ‘self-command’ needed as master of a workhouse with such a large proportion of lunatics. There were further letters through to January 1858, but writing ceased in February. In March the guardians received a letter from the PLB asking if Woodall, ‘the late master’, had left the Carlisle workhouse, and whether or not the guardians had appointed a master. The letter was received with some merriment. Mr Forster, one of the guardians, said in a subsequent board meeting that ‘it seemed as if there had been some one writing to the board and stirring them up’: a comment that was met with laughter and that was indicative of an assumption that one or more of the minority grouping of guardians were still in contact with the PLB. It is clear from their meetings as reported in the press that the guardians had never accepted that Woodall had resigned. The guardians decided to write informing the PLB that Woodall remained the master of St Mary’s workhouse, and they again asked the PLB to reconsider his resignation as being refused.⁶⁵ This war of attrition prompted by the division within the guardians’ own ranks and the securing (by a minority of their number) of a central investigation now began to come to a close. In mid March the PLB wrote back to the Carlisle guardians that they were

63 TNA: MH12/1595, 34228/1857, Report of Edmund Hurst to the PLB, 3 October 1857. On abuse in workhouses, see Dobbing and Tomkins, ‘Sexual abuse’.

64 TNA: MH12/1595, 34228/1857, Letter from PLB to Mr Woodhall, 24 October 1857. MH12/1595, 34228/1857, Letter from PLB to G. Mounsey, Carlisle Union Clerk, 24 October 1857.

65 *Carlisle Journal*, 12 March 1858, p. 8.

acting under a misapprehension if they thought Woodall's resignation did not stand. Furthermore, supposing the previous master was undertaking his old role in some unofficial capacity, his resignation letter meant the auditor would have to disallow any salary since the day of his resignation. However, the PLB also pointed out that the office of workhouse master now being vacant, the guardians 'are legally bound' to the election of a new master, and that should the guardians want to re-elect Woodall, 'the Board will not object to his re-appointment'. The guardians decided not only to re-appoint Woodhall but to classify him as 'an indispensable assistant during the time the office of master of St. Mary's workhouse was alleged to be vacant' and to remunerate him as such at the same rate of pay as that of master. The majority grouping within the Carlisle board had taken on the minority group of guardians, the poor law inspector, and the PLB itself, and they had won.⁶⁶ But at what cost in regard to tyranny? The mass of evidence against Woodall stood for nothing, it turned out, and neither did the attempts of those guardians who brought the evidence to light. Moreover, the combined weight of the inspector and London-based Central Authority staff were ground down by the intransigence of the main body of guardians and their tolerance of tyranny across the range we identified in the preface to this book.

CONCLUSION

Under the later Old Poor Law, the evidence of discord, animosity, and conflict among those charged with organizing, funding, and monitoring the parochial state is clear and compelling. At the contractual, personal, and sentimental level, people fell out – either as individuals or as groupings within the parish hierarchy. The same is true of the New Poor Law, though here we can also add political, philosophical, and reactive (that is, picking up on newspaper scandal and commentary or opposing centralization) motivations for local discord. In both systems, small numbers of oppositional voices could create considerable trouble for the everyday operation of the poor law and the freedoms of officers and staff. Conflict could be transitory and fleeting, but it could also be prolonged and lead to the formation of hard-to-shift factions fighting over the principles of local administration. It is inconceivable (as we began to hint in chapter 2) that the workhouse poor and the communities from which they were drawn were unaware of these conflicts. Under the New Poor Law they were reported in newspapers, but under the Old tales of local animosities became part of verbal communal knowledge. In turn, division could lead to fundamentally poor outcomes for the workhouse poor as officers went

⁶⁶ *Carlisle Journal*, 26 March 1858, p. 8.

unchallenged, complaints by the poor were unmet, or local administrations sank into inaction. All of the forms of tyranny that we outlined in our preface could thus go unchecked. On the other hand, there is also much contrary evidence. By accident (paupers getting caught up in visceral personal or political disputes), by design (officials creating causes to try and improve the lot of welfare recipients), or by serendipity, local division could under both poor laws lead to the confrontation of tyranny. There appears to have been no systematic spatial, chronological, or socioeconomic patterning to such outcomes, but the fact that local discord could amplify or dilute tyrannical practice is nonetheless an important observation. In the next chapter we further explore this matter by changing the focus to a different subset of local poor law officers with power to shape how the everyday lives of the indoor pauper were determined: the various officers who made up the workhouse staff.

Staffing the Workhouse and Managing the Poor

In March 1811 Parliament was asked to consider a second reading for a Bill to create an incorporation of twenty parishes centred around Spilsby (Lincolnshire). Sir Samuel Romilly rose to deliver a damning verdict. As reported in *Hansard*, he suggested that

there was not a single clause but what was liable to objection. He again adverted to some of the most extraordinary provisions of this Bill, which was intended to operate upon twenty united parishes. The directors were empowered to compel all the poor throughout the whole extent of these parishes, whether asking for relief or not, to go into this workhouse. They were to have all the authority of magistrates with respect to such as they should consider vagrants. They were to be allowed to enter houses at their discretion to search for vagrants. They might commit to solitary imprisonment, without limit, the poor which they collected, and administer moderate correction for misbehaviour—in other words, they were to have the power of flogging the poor under their control, at their own discretion. They might besides, by this Bill, seize all the poor children in the parish, whether calling for relief or not, and bind them apprentices at their discretion. He understood that many of the most respectable inhabitants of Spilsby had never heard of such a Bill, and that they strongly disapproved of its provisions.¹

Romilly's complex argument visits many of the organizing themes of this volume, including, for instance, the importance of public opinion and questions of punishing the poor. For this chapter, however, the key issue is that the Bill seemed to give virtually unlimited power of compulsion, with no wider accountability, to the directors of the proposed union and their institutional

¹ *Hansard*, Volume 19: debated on Tuesday 26 March 1811.

officers.² As we suggested in our preface, it is too simplistic to argue that 'tyranny' in the contemporary mind was associated *just* with questions of power relations, but here this matter was the dominant issue.

The Bill was duly withdrawn, but Romilly's sceptical thoughts speak to a latent theme in our volume: that the realization of the potential for petty tyranny was often systemically linked to the character of the officers appointed to administer relief.³ The care and attention paid to the appointment process are thus important issues for this book, as are questions around the qualifications, character, and history of successful candidates. Evidence on these matters is mixed, as we have seen in several chapters thus far. Thus, the Thorne Union (Yorkshire, West Riding) guardians visited the Glandford Brigg workhouse (Westmorland) on 5 December 1838 looking to gain ideas about the running of their own workhouse. The ensuing report noted that the master and matron 'appear to be very eligible for their situation' (without noting what qualifications, character, or experience made them so) and warned their fellow guardians of 'the necessity of using the greatest care in choosing these officers' because 'order cleanliness and discipline ... [and] the properly administering of such comforts as the Paupers may be considered deserving of, are almost entirely dependent upon them'. Their interview with the staff at the Glandford Brigg workhouse convinced the committee that 'whilst individuals who fill those situations, ought to possess the greatest firmness and determination, they ought also to possess feelings of humanity'.⁴ The subsequent history of Thorne union staffing suggests that while the guardians might have learnt these lessons in relation to the master and matron roles, their attitude towards other appointments was at best casual. And at other places, this was even more true. At Eaton Socon (Bedfordshire), advertisements for workhouse masters and farmers emphasised the need for honesty, experience in bookkeeping, (occasionally) experience with some form of manufacture, and sometimes the capital to provide sureties to the parish. The ratepayers seem to have been fishing in a shallow pool: at least one of those appointed was illiterate; a number

2 Some sense of just how far unconstrained power could reach is indicated in the forced destruction of pets: Harley, 'Poverty, mad dogs'.

3 Eastwood, *Governing Rural England*, p. 40. For Hastings, *Poverty*, p. 25, pauper experience was intimately connected to 'the nature of untrained workhouse governors who undertook a trying and low-paid task'. Dorothy Marshall, *The English*, pp. 10, 12, had little positive to say about parish officials, constructing them as careless and lazy and seeing a 'slackness which disfigured the whole management of the poor'. Overseers had not always attracted this reputation. See Langelüddecke, "'The poorest'".

4 M. Oxley (ed.), *Thorne Guardians Minute Book, October 4 1837 to September 21 1842, Including: Report on a Visit to Brigg Union Workhouse, on December 5 1838* (Doncaster: Doncaster & District Family History Society, 2006), p. 51.

were not local; and there were persistent problems with probity, supervision, and effectiveness. This meant that the later Old Poor Law period witnessed a rapid succession of appointees.⁵

The rest of this chapter will address the questions of the character, effectiveness, and consequences of staffing the welfare system, concentrating on three questions that are interlinked (but that are rarely linked in the literature). First, who staffed Old Poor Law workhouses and how were they managed? Second, where, in its first fifteen or so years, did the New Poor Law get its staff from? And third, how (if at all) did the Central Authority exercise its notional powers of control over the appointment and conduct of workhouse officers after 1834? We will be interested in issues such as the character and qualifications of officers; the emergence of familial and kin-group dynasties of workhouse employees; the recycling of staff between workhouses and other institutions, both at 'normal' times and in light of accusations of and convictions for tyranny; and some of the oversight systems that came and went during different phases of welfare organization.

STAFFING AND THE OLD POOR LAW

In 1972 James Taylor argued that the supervision and running of workhouses under the Old Poor Law took three forms: management by paupers themselves or by someone only just above pauperism; professional officers (or sometimes direct management by unpaid parish overseers); and so-called farmers, who undertook to manage the indoor (and sometimes outdoor) poor at a fixed sum per head.⁶ To this listing we can obviously add the committees, visiting committees, and various grades and forms of officer linked to private incorporations and unions being established with more regularity from the 1780s.⁷ In practice, however, such listings do little to convey the complexity or dynamism of staffing Old Poor Law institutions. How, for instance, should we understand and classify the role of people who moved in quick succession from farming/contracting the poor to being employed directly by a parish as workhouse master? Or the task/work master in a workhouse who then took up a farming contract on his own account but remained as a manufacturer in his own right? And, in a very specific instance that grounds these complexities, how did the 'Directors of the Poor of the Parish of St Pancras' (Middlesex)

5 Emmison, *The Relief*, pp. 11–12, 28, 44.

6 Taylor, 'The unreformed', pp. 65–6, 79–80, where he argues that farming as a practice was in sharp decline nationally by the later eighteenth century.

7 For the most recent analysis, see Ottaway, 'The purposeful'.

envisage the role of William Cater, who they employed as an 'Agent' (rather than a workhouse master) in May 1835.⁸

We know surprisingly little about those who staffed the lower levels of the parish hierarchy, notwithstanding some exercises in biography and detailed workhouse studies.⁹ Historians and some contemporaries have, as we suggested in chapter 1, maintained a low opinion of their character and effectiveness.¹⁰ Taylor, reflecting narratives already encountered in earlier chapters, characterizes the farmers' reputation as 'unsavoury', but this is part of a wider narrative of doubt about the quality of poor law officers.¹¹ Thus, introducing 'a Bill to alter and amend the laws, regulating the office of Overseer of the Poor' in July 1831, Lord Teynham suggested that 'Our poor were now treated as bad as the Irish, and were taught to love their country by whipping, banishment, and hanging'. This tyranny he laid at the door of the quality of the overseer, and he suggested that a comprehensive reform bill dealing with their role was 'a necessity for the greatest care and kindness in the administration of the Poor-laws'.¹² Our limited knowledge is unfortunate. As Taylor and others have observed, the broad rules and processes of the Old Poor Law were largely discretionary, and the experiences of the poor were therefore sharply influenced by the character of the officials who used that discretion, as we have also argued.¹³

To some extent this limited knowledge reflects the latent observation of chapter 2 that staffing at parochial level could be dodged entirely by buying into a pre-existing workhouse and paying a per capita premium or lump sum to be able to send paupers there. This was the case, for instance, at Clitheroe (Lancashire) in March 1829 when the vestry asked officials to 'take a share' in the Holden workhouse and 'to make the best bargain they can'.¹⁴ This is

8 B. Hurley (ed.), *Bradford on Avon Applications for Relief from Out of Town Strays* (Devizes: Wiltshire Family History Society, 2004), p. 13. George Sykes was also 'Agent to the overseers' when he wrote from Sheffield (Yorkshire) to Epworth (Lincolnshire) on 7 May 1828. LRO Epworth Parish, 13/28/10, Epworth Parish Correspondence.

9 Martin, 'From parish', p. 35; Ottaway, "A Very Bad Presidente".

10 See, for instance, W. Clarkson, *An Inquiry into the Causes of the Increase of Pauperism and Poor Rates* (London: C. Baldwin, 1815), pp. 33–4.

11 Taylor, 'The unreformed', p. 66.

12 *Hansard*, Volume 4: debated on Monday 4 July 1831.

13 Taylor, 'The unreformed', p. 64. See also Webb and Webb, *English Poor Law History Part I*, p. 242. David Green suggests that under 'an arithmetic of woe', the poor increasingly came to be seen as 'objects to be managed and governed'. By whom is the important question. Green, *Pauper Capital*, p. 16.

14 LRO, DDX 28/257, Clitheroe Vestry Minutes.

one of 296 instances of such requests in our dataset. Even so, other reasons take on more importance: chiefly, the rapid turnover of *both* staff and institutional initiatives at parish level. Thus, arrangements like those at Clitheroe were usually fragile; here, on 3 June 1831, the overseers were asked to 'inspect the acc'ts of holden workhouse as the accounts tendered to mr hacking show a great degree of discrepancy'.¹⁵ The subsequent withdrawal from the contract left the town rapidly having to put other arrangements in place, probably increasing risks of tyranny and ensuring little due diligence for staff involved in new arrangements. Parishes often took a more considered approach to appointments – advertising for contractors to run a workhouse (a pre-existing one or one that the parish would find and fit out) was not in any sense mandatory, but vestries and parishes often did advertise for farmers and other staff. In 1820 the Walthamstow (Essex) vestry appointed an assistant overseer, for which post there were seventy-one applications. The successful candidate was the former governor of their own workhouse, but the arrangement lasted only nine years before a system of farming was reinstituted.¹⁶

More normally, flaws in the advertising and appointment process can make it hard for historians to gather intelligence on the people appointed. This was certainly the case, for instance, in Market Harborough (Leicestershire), as we began to see in chapter 2. Here, the vestry agreed in June 1793 that the workhouse 'should be Lett by the Week for one whole Year' and arranged a meeting on 8 July to consider potential candidates. The vestry had left itself only weeks to find a candidate for 'Workhouse Master or Mistress'. Unsurprisingly given this timescale, the only applicant was a local man named James Tilly, and we learn nothing of his background from the surviving records.¹⁷ Two Berkshire examples reinforce this point: in Cholsey, the parish certainly advertised positions but managed to run through five paid standing overseers in six years between 1819 and 1824;¹⁸ and at Enborne, in seeking to appoint a standing overseer in June 1794 the vestry resolved that the 'present overseers [have] power to appoint any person they shall approve of'.¹⁹

Nor were public commentators much interested in the detailed lives and qualifications of individual workhouse governors and farmers, as opposed to having opinions on the group as a class of people. Frederick Morton Eden's three-volume 1797 national survey of poor law practice, for instance, dealt

¹⁵ *Ibid.*

¹⁶ Gibson, *The Walthamstow*, p. 62.

¹⁷ Market Harborough Parish Chest, Agreement between overseers of poor and Jos. Tilley, 1793.

¹⁸ BRO, DP 38/8/1, Cholsey Vestry Minutes 1811–56.

¹⁹ BRO, DP 51, Enborne Parish Papers.

in alphabetical order with seven counties before his first comment (for Dorset) on the character, qualifications, or experience of a workhouse master or farmer. Thereafter, he made only twenty-three further comments for the rest of the alphabetical list of counties, with six of those instances relating to Lincolnshire and Hampshire.²⁰ The fleeting nature of farming contracts also traced by Eden (and already noted in earlier chapters here) might do something to explain both his inability or lack of desire to find out more and our general lack of knowledge about this group, in particular.²¹ More widely, Eden (rather like the advertisements for officers that are so easy to find in online newspapers²²) focused much less on the experience and qualifications of appointed people and more on their general character – words like ‘respectable’ and ‘proper’ appear frequently in both sources – providing a sense of the essential randomness of selection processes.

Yet there *is* more to discover. Some of it confirms or nuances the tripartite classification of Taylor. Thus, we certainly find paupers or the very poor overseeing institutional affairs. Eden noted that workhouses in Abergavenny (Monmouthshire) and Brixworth (Northamptonshire) were directly under the superintendence of paupers. In similar fashion, Dan Daulby of Geddington (Northamptonshire) took over the management of the Rothwell workhouse (also Northamptonshire) on 1 April 1828 having himself been orphaned in 1763 and been episodically in receipt of relief in Geddington prior to his appointment.²³ But there were also complexities and ambiguities. In Blandford (Dorset), the sudden ending of farming arrangements had left two paupers in charge ‘during the absence of the overseer’, implying at least some oversight by the unpaid official. Similarly, in Ashford (Kent), Eden’s very precise description of supervisory arrangements in the workhouse tells us that one of the local vestrymen ‘attends, daily, at dinner in the workhouse’, implying a lack of other staff for the rest of the day. This sort of arrangement

20 F. Eden, *The State of the Poor* (London: Frank Cass Reprint, 1966), Volumes II and III.

21 On this matter, see also Webb and Webb, *English Poor Law History Part I*, pp. 286, 290.

22 At earlier dates handbills were often distributed, but the requirements seem to have changed little. That for Chippenham in October 1753, for instance, merely referred to the need for a couple to fulfil the role of master and matron and for them to be ‘proper’ persons. WRO, 811/126, Overseers’ Accounts for Chippenham St Andrew, 1742–56, entry at 16 October 1753.

23 NRO, 284p/190, Vestry Minutes of Rothwell, 1828–33. For an analogous case in Terling (Essex), see Ottaway, ‘Providing’, p. 407. At Bluntisham-cum-Earith (Huntingdonshire), a new workhouse master in 1823 had to sign away his right to claim relief himself. C. Tebbutt, *Bluntisham-Cum-Earith, Huntingdonshire. Records of a Fenland Parish* (St Neots: Huntingdonshire Record Society, 1941), p. 110.

is more explicitly signalled for Petersfield (Hampshire), where a paid overseer had been appointed who 'does not reside in the house, but attends at meals'.²⁴

Paid or long-term officers (both overseers and workhouse governors) gained increasing traction over the later Old Poor Law even in areas where staffing had traditionally remained slim and unprofessionalized. In Llanfyllin (Montgomeryshire), a letter from Edward Morris, the overseer, to his counterpart in Hulme (Lancashire) on 30 January 1836 revealed that their assistant overseer 'served our parish for 18 years [and] left in 1833'.²⁵ Vic Walsh suggests that almost all of the 2,453 select vestries existing in 1825 employed paid assistant overseers.²⁶ More recently, Alannah Tomkins has shown that paid assistants increased in both number and influence after 1800, even if their positions sometimes remained precarious at the individual level.²⁷ Yet there were complexities here too – ones that shaped who was appointed and how and with what restrictions they could operate. Thus, in Lancashire, Tarleton purchased space in the Ormskirk workhouse, as we saw in chapter 2, and the churchwarden's accounts confirm that from 1740 onwards the governor of that institution was 'elected' rather than merely appointed. This may be mere rhetoric, but it could equally signify a much closer relationship between vestry and official than could be achieved by mere contract.²⁸ The Wiltshire parish of Longbridge Deverill similarly elected 'paymasters' to oversee the workhouse.²⁹

These men seemingly had relatively simple lines of responsibility and reporting. Other officers did not. In a letter of 13 October 1822 directed to Wimborne Minster (Dorset) concerning the case of Widow Lance, we learn that Coventry (Warwickshire) employed Mr Joseph Sturdy as 'Superintendent of the Out Poor', with his remit covering the outparish poor, workhouse inmates, and those living independently, suggesting a jurisdictional quagmire.³⁰ The Berkshire parish of Thatcham retained a dual 'Standing Overseer & Workhouse Keeper' at £50 per year from 1822, which is both an indication of the extending professionalization of the lower reaches of parochial administration and also a signal of the scope for tyranny by neglect as workloads ran well

24 Eden, *The State*, pp. 147, 223, 278.

25 MRO, M10/815, Hulme Overseers' Correspondence.

26 Walsh, 'Poor law', p. 94.

27 Tomkins, 'The overseers' assistant'.

28 LRO, PR 3186/7/9/2, Tarleton Churchwarden's Accounts, first reference for 1740. For a later 1826 example, see HRO, 6M77/PV1, Eversley Vestry Minutes, 1818–59, entry 22 May 1825.

29 WRO, 1020/55, Longbridge Deverill Vestry Minutes, 1819–32, entry at 2 September 1832.

30 DRO, PE/WM/OV/13/7, Wimborne Overseers' Correspondence and Vouchers, 1822.

ahead of available time.³¹ The place of women in this canvas is opaque. A vestry at Fawley (Hampshire) noted on 4 August 1819 that 'It being deemed to have a man to take management of the Paupers in the House it is agreed that Mrs Horden the present Manager should have Notice to Quit. And be it remembered she has 3 months Notice from this day.' It advertised for a couple to do the job in the *Salisbury & Winchester Journal* and considered applications on 11 November. Its first candidate proved unsuitable so it sought further applications and considered 'Several Letters relating to the Master for the Poors House' on 8 December, with the vestry clerk asked to write to potential candidates. Robert Garney was summoned before the vestry on 5 January (1820), by which time there had been a substantial management hiatus, and he was appointed with his wife at £30 per annum.³² Other places moved in exactly the opposite direction. The widow Jane Sutton was appointed 'governor of the parish poor house' at Aylsham (Norfolk) in 1816,³³ and in 1827 the Buckinghamshire parish of Stoke Mandeville appears to have had *both* a female overseer (Mary Tapping) and a female poorhouse governor.³⁴ Some sense that such women were both assertive in their own right and effective as officers is given by an agreement in the Minstead (Hampshire) vestry minutes, which in 1827 ratified the principle that the female workhouse governor would get half the revenue from work conducted in the workhouse.³⁵

Whether paid and long-term officers were any protection against tyranny – their own or that of other officials and vestrymen – is ultimately unknowable given the 15,000+ parishes that administered poor relief and the often fleeting nature of institutions.³⁶ This gets no easier, as we will see, for the New Poor Law. Still, our data provides some balance to the largely negative views of both officers and the institutional regimes they oversaw that dominate the older literature. For instance, Joseph Bailey wrote from Hammersmith (Middlesex) to Brockenhurst (Hampshire) on 28 February 1808. His letter was addressed to Mrs Ratford. It started with a paragraph remembering him to his 'Dear freands' in the poorhouse (itself a useful corrective to a sense of universal tyranny), carried on with a note that Bailey's wife had recently seen

31 BRO, DP 130/8/1, Thatcham Vestry Minutes 1814–37.

32 HRO, 25M60/PV1, Fawley Vestry Minutes 1819–44.

33 NFRO, MC 382/176, 733, Aylsham Parish Records; Order of appointment and supporting letters, 1816.

34 BURO, PR 196/8/1, Select Vestry Minute Book for Stoke Mandeville, 1826–33.

35 HRO, 90M71, PV 1&2, Minstead Vestry Minutes 1750–1850.

36 For some of this immense complexity in Berkshire, see Neuman, *The Speenhamland County*, pp. 1, 148. On the remarkable laxity of the overseers of Manchester township, see Redford, *The History of Local Government in Manchester Volume 1*, p. 180.

Ratford's daughter 'and shee, in very good health and desers to Be remembered to you', and only at the end asked Mrs Ratford 'to take this note [asking for relief] Into the Jentlemen'. In a new appeal from Bailey on 5 January 1812 we learn that, at the time he wrote his first letter, 'ratford Was the Loaker over [workhouse governor] that time'.³⁷ The genuine affection and intimate knowledge embodied in this letter suggests positive experiences of the workhouse regime, whatever else Bailey might have thought about his dependence. This sort of positive sentiment and practice extends further into the data. David Rose, the master of Rugeley workhouse, wrote to the overseers of Colwich (both Staffordshire) on 29 August 1812 to say that John Sawyer was very ill and 'more like a Luntice than otherwise'. Rose noted that Sawyer required more laudanum and 'I shall for the peace of the house' purchase a quantity and charge the parish of Colwich whether they liked it or not.³⁸ Professional officers also provided more passive testimony, advocacy, and information to oil the wheels of the parochial system. John Jump of Oldham (Lancashire) noted on 6 October 1831 that Mrs Chaddenton's sister (a Mrs Taylor) would 'visit us and see the State we are in, she being the governess of the Workhouse'. Her direct opinion was quoted in a follow-up letter of 23 November 1832.³⁹

Taylor's third category of staffing – farmers of the poor – has a more cursory footprint in our data, and few have had anything positive to say or imply about their practice, as we noted earlier. In part this relates, as we saw above, to their visibility in the material. As Walsh notes, after 1805 contractors could serve multiple parishes simultaneously, only having to reside in one of them.⁴⁰ Their anonymity thus reflects not just the fact that their tenures were often fleeting, and that they had no obligation to give over records and financial information (other than bonds for performance), but also that they were often not resident. It is hard to demur from the view of the Richmond vestry (Yorkshire, North Riding) that farming was almost correlated with the potential for and practice of inhumanity.⁴¹ This might amount to tyranny by neglect with the active collusion of vestries; in Trowbridge (Wiltshire), farming fees

37 HRO, 4M81/p040, Miscellaneous correspondence (items 7 and 9)

38 S. King, T. Nutt, and A. Tomkins, *Narratives of the Poor in Eighteenth Century Britain* (London: Pickering and Chatto, 2006), p. 228. John Jackson, master of the Hull workhouse, was, on 20 September 1787, equally vociferous in support of John Lumb. LIRO Epworth Parish 13/28/2, Letter.

39 King, Nutt, and Tomkins, *Narratives of the Poor*, pp. 240, 243.

40 Walsh, 'Poor law', p. 102.

41 Hastings, *Poverty*, p. 24. On similar sentiments in Watford, see J. Knight and S. Flood (eds), *Two Nineteenth-Century Hertfordshire Diaries 1822–1849* (Hertford: Hertfordshire Record Society, 2002), pp. 25–7.

for the 'poor house' were paid to Mr Sylvester, episodically the contracted doctor to the parish, who installed a nurse as the superintendent because he was non-resident.⁴² More often, there was scope for tyranny by process and person, as for instance when the Bishopstoke (Hampshire) vestry advertised for farming of the workhouse at 2/6 per week in May 1825. The vestry was 'allowing the master of the Poor House to have the cultivation of the land attached to the Poor House', with the clear implication it would be farmed by the inmates for profit.⁴³ A bleeding between the status of formally contracted farmers and informal farming arrangements no doubt intensified the potential for tyranny of all sorts. When Eden noted arrangements at Worksop (Nottinghamshire) where a 'woman who attends the workhouse' for five guineas a year was supplemented by an inspector paid at twenty guineas a year, he was effectively identifying a housekeeping arrangement that typifies this bleed.⁴⁴ We see this repetitively in the data; at Chilton Foliat (Wiltshire), for example, there was no governor but women (some of them also on relief) would visit daily to 'look after' individual paupers within the building. This sometimes included kin who were also paid for the task.⁴⁵

Yet, we must also remember that *because* farming was such a fleeting practice, it is important not to overstate its impact on the realization of a latent potential for petty tyranny in the later Old Poor Law as a whole. Indeed, another feature of our data and the wider literature is arguably more important: the rise of dynastic and career-long engagement with poor law administration. Chris Upton notes that in the early 1790s the Birmingham workhouse was run first by a husband and wife and then by 'a cosy circle of a husband and a wife and his mother'.⁴⁶ After a large scandal involving the workhouse master in the 1820s, the new master was promoted from a clerking role and had already served in bookkeeping and clerk roles for Matthew Boulton. At Buckland (Berkshire), William Heydon took on the farming of the workhouse on 27 October 1800⁴⁷ having previously been employed directly by the parish as workhouse governor (for which, in 1798, he was given an extra 73s. 6d. after dealing with a smallpox outbreak of that year). He in turn took over from his maternal uncle Edmund Peuple (originally appointed 10 September

42 WRO, 206/82, Overseers' Accounts for Trowbridge, 1827–34, entry for October 1831.

43 HRO, 145M28/PV1, Bishopstoke Vestry Minutes 1825–39. The interchangeability of the term workhouse and poorhouse in the same advert is telling.

44 Eden, *The State*, pp. 581–2.

45 WRO, 735/32-33, Chilton Foliat Overseers' Accounts, 1793–1813.

46 Upton, *The Birmingham*, pp. 117, 125.

47 BRO, D/P 27/12/5, Buckland Vestry Minutes 1736–1807, entry at 27 October 1800.

1784), and having himself been in a pauper family, with relief given to his mother or father in 1784–5, and with his own wife receiving help to pay for a parish nurse in April 1790. By 1811 Heydon was himself an inmate of the workhouse.⁴⁸ The master of the Cerne Abbas (Dorset) workhouse was luckier; in 1808 he was the third generation of his family to serve the post.⁴⁹ Such material links strongly with Matthew Bayly's important study of the Lincoln Heath, which has traced family dynasties of administrators carrying on into the New Poor Law.⁵⁰

The staffing and administration of the Old Poor Law workhouse is thus a complex matter not susceptible to countrywide, temporal, or regional generalization. Notwithstanding the rise of professional and even dynastic poor law administrators, there is no escaping the fact that the lower levels of parochial administration were sometimes peopled by shady, corrupt, and tyrannical individuals. Farmers, in particular, could up and leave at will as long as they met the basic conditions of their contract. The potential for tyranny across our tripartite definition of the term and all of our classifications is clear, just as the Webbs and Taylor argued. It is easy to see how expectations of poor treatment were formed and magnified, even if our data has also revealed much complexity and even humanity, once again connected to the character, role, or experience of particular individuals. Nor should two further aspects of this complexity escape our notice in trying to understand the extent to which the potential for tyranny was realized. First, and wholly unseen in the literature, was the capacity of the relatives of workhouse masters and farmers to practise tyranny on particular paupers. We encountered the Banbury (Oxfordshire) shoemaker George Herbert in chapter 2, reflecting on his life in Banbury in the 1830s and 1840s from the perspective of the late 1890s when he was eighty-five and remembering the architecture of the workhouse. More important was his observation that Mr Dumbleton 'kept the workhouse' and that his son was well known for playing tricks on the poor, including sawing in half the wooden leg of a vagrant when he was drunk so that when he woke up 'he got up to make a start and down he came. He thought at first that he had stepped into a hole but he soon found the contrary.'⁵¹ The capturing of these instances in sources is rare, but commonsense and human nature suggest they must have been more extensive. The same applies to a second complexity:

48 Detail taken from BRO, D/P 27/12/1, Buckland Parish Overseers' Accounts, 1775–1811.

49 DRO, PE/CEA/9/2, Cerne Abbas workhouse accounts 1808–18.

50 Bayly, 'The human ecology', chapter 4.

51 C. Cheney (ed.), *The Shoemaker's Window: Recollections of Banbury Before the Railway Age*, George Herbert 1814–1902 (Banbury: Philimore, 1971), p. 67.

that institutional paupers themselves practised extensive tyranny on others. The Manchester (Lancashire) grocer Robert Blincoe, interviewed in 1822, had spent his early years in the St Pancras workhouse before being apprenticed to a cotton factory. Though not mistreated there, he detailed several instances in which the staff practised tyranny by process, and he reserved particular hurt for the fact that the other inmates nicknamed him ‘Parson Blincoe’.⁵² More direct testimony and invective is provided by Anne Candler, resident in the Tattingstone House of Industry (Suffolk) in 1803, when she wrote a poem about the place. She was scathing about the staff (even though they did not stop her writing, as they could have done):

Insulted with indignant scorn
 Aw’d by tyrannic sway,
 A prey to grief each rising morn,
 And cheerless all the day

But she was equally censorious about the other inmates:

Disgusting objects swarm around,
 Throughout confusions reign;
 Where feuds and discontents abound,
 Remonstrance proves in vain.⁵³

We take up this theme of remonstrance in chapter 8. For now, the significant question is whether the nature of staffing and the associated capacities for tyranny changed much under the New Poor Law.

THE NEW POOR LAW INHERITANCE

Mr. FARNALL replied that the stockings were in no doubt in a very bad state. He added that he knew that *some of the workhouse masters ran into the very extreme of economy because they thought such a proceeding would be acceptable to the guardians*. He had been in a workhouse – that of Lancaster – in which there were not three whole panes of glass, and the master had boasted of the circumstance.⁵⁴

52 J. Doherty (ed.), *A Memoir of Robert Blincoe* (Manchester: John Brown, 1832). Unpaginated, but all quoted instances relate to chapter 1.

53 A. Candler, *Poetical Attempts, by Ann Candler, a Suffolk Cottager; with a Short Narrative of her Life* (Ipswich: John Raw, 1803), pp. 54, 56.

54 TNA: MH12/14677, 25617/1856, Newspaper cutting: *The Barnsley Times*, charges against the master and mistress of the workhouse, 7 June 1856. (Our italics.)

Understanding the nature of workhouse staff under the New Poor Law along with individual officers' capacities and proclivities to prevent or inflict tyrannical behaviours on paupers lies at the very heart of much of the early historiography. The arguments succinctly set out by Roberts and Henriques in the 1960s, as we saw in chapter 1, crystallized a debate that wrestled with the fact that while the Central Authority never wrote into its orders that paupers should be ill-treated, starved, brow-beaten, or assaulted, the risks of those things happening were ever present.⁵⁵ The workhouse staff, led by the master, set the tone for the pauper inmates' experience, and we can see that tone very much in the quote above. Here, the unnamed workhouse master ran his workhouse 'into the very extreme of economy' not because he considered extreme economy as a morally acceptable and preferred tone to be set, but because he considered this his relational duty to the guardians. Extreme economy trumped any consideration of feeling towards pauper inmates. Thus, Farnall's quote was a recognition that (for such workhouse masters) compassion, sympathy, and empathy for pauper inmates were particularly low in any hierarchy of feeling that might guide their routine human interactions. It is a very small step from the lack of any positive feeling towards any class of people to viewing them as 'other than', 'less than', or 'a people apart'. Under such circumstances, where the 'people apart' were heavily under the control of individual workhouse staff, tyrannical behaviour could become 'just another' small step.

Ann Crowther set down the statistical parameters of the principal New Poor Law workhouse staff in the early 1980s: masters, matrons, workhouse medical officers, chaplains, schoolteachers, and nurses. Figure 6.1 (overleaf) illustrates the growth in numbers of principal workhouse staff from the late 1840s to the years after World War I, revealing an increase from a total of 4,920 to 14,199. As the figure demonstrates, however, staffing did not grow in an even fashion. The numbers of masters and matrons grew at pretty much the same rate as each other over this period, while the number of workhouse medical officers doubled. Two categories of workhouse staff are worthy of note. First, the numbers of workhouse schoolteachers fell dramatically in the late-nineteenth and early-twentieth centuries as children were gradually removed from workhouses – first to district schools and then to local mainstream schools.⁵⁶ Second, the numbers of paid workhouse nurses increased enormously across our period. In 1849 paid nurses were the smallest category. By 1872 it was the largest single principal staff category. And

⁵⁵ Roberts, 'How cruel'; Henriques, 'How cruel'. The question remains central in the more recent literature: Englander, *Poverty*, pp. 35–6; Green, *Pauper Capital*, p. 110; Crowther, *The Workhouse*, pp. 31–4.

⁵⁶ For a comprehensive analysis of workhouse teaching and teachers, see Jones, 'Schoolmasters'.

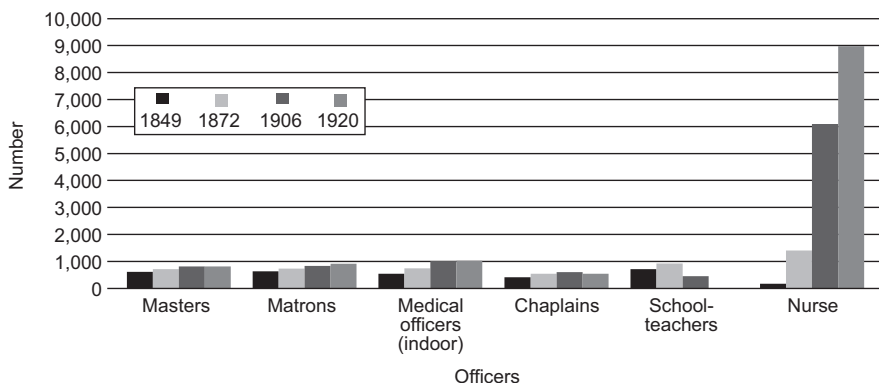


Figure 6.1. Number of workhouse staff (principal officers only), 1849–1920.

by 1906 there were more paid nurses than all other staff put together.⁵⁷ The remainder of this chapter asks a number of questions about this growing staffing base. How were workhouse staff recruited, particularly in the early decades? What backgrounds, behaviours, skills, and experience were considered essential and desirable? And what processes did the Central Authority use to discipline any tyrannical proclivities that staff might have or develop in their workhouse staff roles.

APPOINTMENT PROCESSES

Appointments were forwarded to the Central Authority from each union. However, the Centre needed to give their sanction in every case.⁵⁸ The real authority for appointments rested with members of the inspectorate. In August 1835 the assistant commissioners were informed by the PLC that when they were present at any Board of Guardians meetings where union officers were appointed, the Commission would ‘confirm the appointment as soon as notified to them by the Guardians without reference to you on the presumption that you approve of them unless you state to the contrary’.⁵⁹ As unions became more embedded in the poor law landscape, assistant commissioners and, later,

⁵⁷ Crowther, *The Workhouse*, pp. 135–6.

⁵⁸ See, for example, the early appointment of husband and wife George and Elizabeth Loggan as master and matron of the Rye workhouse (Sussex). TNA: MH12/13076/24, 12471/1835, Letter from Henry Mason, Clerk to the Guardians of the Rye Poor Law Union, to the PLC, 2 December 1835.

⁵⁹ TNA: MH10/1, Circular from Edwin Chadwick to the assistant commissioners, 28 August 1835.

inspectors were forwarded the thousands of staff appointment forms.⁶⁰ These were sent by union clerks to the Central Authority and then passed to the members of the inspectorate to sanction. Such process speaks to the understanding that the inspectorate would block the appointments of individuals whom it thought would generate future problems for itself. However, refusals to sanction were rare, as we have already seen in the case of the Thorne Union earlier in the chapter. In 1869 the PLC fought the Lambeth (Surrey) guardians, who wanted to employ a new master at £200 per year (up from £150); a fight in which they were ultimately unsuccessful. In 1871 the PLB were more successful in blocking the appointment of W. Robinson as the schoolmaster at the Bromley Union (Kent). He had worked at five different unions in as many years and left each position with some element of suspicion surrounding his time – de facto indications of the potential for tyranny.⁶¹

Rather than outright refusals to appoint a particular person, it was more likely that the Centre would, if it was unhappy with the details of any preferred candidate, sanction for a limited time to gather more information on the applicant's abilities. For example, in May 1848 the guardians of the Kidderminster Union (Worcestershire) wrote to the PLB asking for the sanction of Matilda Underwood as schoolmistress at the workhouse school. The appointment form was pretty standard. She had experience as a Sunday school teacher and as a teacher at an infants' school, and she also had testimonials, including one from the Reverend Charles John McQueen Mottram, a local clergyman. However, the PLB considered Underwood very young for the post, her age being recorded as only 19½ years.⁶² While this age did not exclude her from the post, the board doubted whether a person as young as her would be 'competent to discharge the duties of S.M^{ss} [schoolmistress]'.

60 Technically, the forms contained the details of preferred candidates as voted for by Boards of Guardians, rather than appointees.

61 Crowther, *The Workhouse*, pp.124–32.

62 There are similarly 'young' applicants in the corpus. In 1852 Thomas Jones (eighteen years of age) applied to be the schoolmaster at the Llanfyllin workhouse (Montgomeryshire): TNA: MH12/16546/312, 5105/1852, Letter (and form) from William Jones, Clerk to the Guardians of the Llanfyllin Poor Law Union, to the PLB, 22 March 1852. In 1851 Thomas Driver (seventeen years of age) applied for the post of schoolmaster at the Southwell workhouse (Nottinghamshire): MH12/9529/398, 46586/1851, Letter (and form) from Thomas Marriott, Clerk to the Guardians of the Southwell Union, to the PLB, 22 November 1851. And in 1853 Jane Stephenson (eighteen years of age) applied for the post of schoolmistress at the Cardiff workhouse (Glamorgan): MH12/16249/310, 2403/1853, Letter from T. Watkins, Clerk to the Guardians of the Cardiff Poor Law Union, to the PLB, 18 January 1853. All were sanctioned for three to six months.

The board sanctioned Underwood's appointment for a three-month trial.⁶³ The following September, the PLB wrote to the Kidderminster Union asking for a report on how Underwood had performed during her probation period. Although the Board of Guardians reported that Underwood had performed her duties to their satisfaction, the PLB was still unsure of her abilities. It responded that it would sanction Underwood's appointment but that it would do so subject to a report from the Inspector of Schools regarding her qualifications.⁶⁴ In November 1848 the Committee of Council on Education wrote to the PLB complaining that a recent report claimed that Underwood spent most of her time on duties other than teaching and her class was, in regard to reading, arithmetic, and religious education, poorly developed.⁶⁵ With later correspondence showing Underwood had inadequate teaching skills and knowledge, classed as 'inefficiency', she was replaced in early 1850.⁶⁶ Even so, had an outside committee not intervened, it is unclear whether the Centre would have used its notional authority to prevent the inefficient execution of the duties of this officer – a common theme across all of the data we use for both the Old and New Poor Laws.

OFFICERS: BACKGROUNDS AND CONTROLS

Among all the staff of the workhouse the senior officer was the workhouse master. In theory at least, his authority on a daily basis was almost total, and much focused on the maintenance of workhouse discipline, as we have

63 TNA: MH12/14019/208, 13847/1848, Appointment Form for Matilda Underwood, as schoolmistress for the Kidderminster Union, to the PLB, 9 May 1848; MH12/14019/209, 13847/1848, PLB to Henry Saunders, Clerk, Kidderminster Union, 25 May 1848.

64 TNA: MH12/14019/210, 13847/1848, Letter from PLB to Henry Saunders, Clerk, Kidderminster Union, 16 September 1848; MH 12/14019/271, 26668/1848, Letter from Henry Saunders, Clerk, Kidderminster Union, to the PLB, 22 September 1848; and MH12/14019/272, 26668/1848, Letter from PLB to Henry Saunders, Clerk, Kidderminster Union, 2 October 1848.

65 TNA: MH12/14019/291, 30505/1848, Letter from Harry Chester, Committee of Council on Education, Privy Council Office, Downing Street, to Viscount Ebrington MP [Parliamentary Secretary to the PLB], 7 November 1848.

66 TNA: MH12/14020/13, 7572/1850, Appointment Form, Mary Ann Burman as schoolmistress, 22 February 1850. As an example of how haphazard the 'systems' of workhouse appointments work, we find she was appointed again (on a three-month trial) in 1851 only to resign a second time 'after obtaining a better situation' in 1853; see MH12/14020/55, 35887/1851, Appointment Form, Matilda Underwood as schoolmistress, 3 September 1851; and MH12/14020/55, 3740/1854/1854, Appointment Form, Hannah Pitt as schoolmistress, 27 January 1854.

already seen in this volume.⁶⁷ The pivotal role of the master can be physically determined by the central location of the master's apartments in most post-1834 workhouses. This centralization of place visually reflected the power of the master in his administrative and managerial role as well as the potential this provided for real or imagined pauper surveillance.⁶⁸ Workhouse masters had multifaceted duties concerning the administration of the workhouse and workhouse resources. The early PLC faced a shortage of professional men and women to staff the newly built workhouses. Confronted with this deficit, the Centre favoured and pressed candidates for master who had a uniformed and disciplined character background. Such was their commitment to ex-uniformed servicemen, they often recommended former army and navy personnel, as well as former policemen, to individual boards as masters, and they even included a question asking for candidates to specify their prior service experience on the newly introduced standard appointment forms.⁶⁹ The indication here is that the Centre very much favoured the disciplined workhouse, with masters able to demonstrate strength, toughness, and durability when dealing with paupers who might be labelled as disorderly or refractory on the one hand or as troublesome and irritating on the other.⁷⁰ Yet the risk being run here, from the pauper perspective, was that the rhetorical spaces between a master characterized as exhibiting robustness and resilience, on the one hand, and displaying harshness and an unbending personality, on the other, was a small one. In these very situational cases, the triggers for the realization of petty tyranny were multiple and sensitive.

The PLC was aware of the potential for workhouses to gain a reputation for harsh and cruel treatment of the poor. Such stories were commonly reported in newspapers. For example, in early 1837 the Centre wrote to the Reverend George Stringer Bull at Bradford (Yorkshire, West Riding) in connection with an anti-poor law speech he gave that was then reported in *The Times*. There he shared a variety of accusations of tyranny in the already-unionized south of England: a female pauper who was 'stripped and flogged on her back' and the suicide of William Winter caused by 'the dread of being removed to the

67 Crowther, *The Workhouse*, p. 116.

68 Foster, 'The representation', chapter 2 and p. 94.

69 Carter and Carter. 'The Workhouse Master'. It was from the early 1840s that the PLC introduced standardized appointment forms for all union paid staff: see p. 37.

70 The terms disorderly and refractory in the workhouse sense are the categories used by the Centre to differentiate, respectively, the lesser and more serious rule-breaking pauper inmates who might be formally punished inside the workhouse with reference to the Centre's regulations; see Carter *et al.*, 'Punishing paupers?.'

Bedlington Union workhouse' (Northumberland).⁷¹ The Centre, annoyed by such reports, gave some warnings to newly elected guardians regarding the acceptable limits of discipline. When speaking to guardians in Kent, Frances Head warned them that masters should moderate their 'great firmness' with 'mild temper'.⁷² This chimes with our comment earlier in the chapter that petty tyranny was not the aim set out by the Central Authority. Indeed, many positive duties were laid upon masters: they had to read prayers and say grace; they needed to check that inmates were in a clean environment; they had to ensure that specified workhouse areas were tidy and well ventilated; they had to make sure that pauper meals were properly prepared and served; they needed to ensure that a medical officer was called when needed; and they had to make sure that paupers were treated as directed by medical officers.⁷³ For breaching these and other moral or behavioural norms, masters might find themselves dismissed.⁷⁴ Examples would include the unnamed master at Southwell (Nottinghamshire) dismissed in 1838 as 'an unfit man for the situation which he now holds' as it was thought he had been having sex with one of the inmates, resulting in her pregnancy.⁷⁵ Mr Shaw, the master at the Chesterfield workhouse (Derbyshire), was dismissed in June 1880 for gross neglect of duty in not immediately sending for a medical officer to treat Issac Gregory (though aware of the need to), resulting in Gregory's death.⁷⁶ In 1892 the master of Rugby workhouse (Warwickshire) was dismissed for improperly refusing admission to several poor people who were destitute and in need of relief.⁷⁷ Even so, it is clear from our data that the main concern for the Centre was not local tyrannical practice but the efficient and honest execution of the master's heavy administrative load, which by the middle of the

71 Carter, *The Bradford*, pp. 13–15, no. 15; *The Times*, 8 February 1837, p. 7. The amplification of such allegations in the local and national press underpins much Victorian poor law reporting. See, in particular, Hobbs, *A Fleet Street*, *passim*.

72 Crowther, *The Workhouse*, p. 116.

73 *Second Annual Report of the Poor Law Commissioners* (London: Parliamentary Papers, 1836), pp. 80–81.

74 Between 1860 and 1920, from a sample of 882 provincial workhouse masters who left their positions, only 3.1% were formally dismissed. However, a further 9.7% were forced to resign and 11.7% left 'voluntarily' and gave no explanation at all, raising the potential figure somewhat higher.

75 TNA: MH12/9525/61, Memorandum from E. Gulson, Assistant Poor Law Commissioner, to the PLC, 28 May 1838. Sexual exploitation in the later New Poor Law was common. See Moss, 'Sexual Harassment'.

76 *Derbyshire Courier*, 10 July 1880, p. 7.

77 *Coleshill Chronicle*, 31 December 1892, p. 4.

nineteenth century was characterized by the large number of books he was to keep up-to-date.⁷⁸

Dismissals were not a concern only for workhouse masters, of course, and the threat of being dismissed was an important control on tyranny by person and process across our definitional spectrum. After all, being formally dismissed (rather than resigning under a cloud) could prevent an individual from gaining paid employment in other poor law institutions. John Stokes, who we met in chapter 2, was dismissed and prosecuted for tying a young boy in a sack as punishment for bed wetting in 1842; he later applied for the role of relieving officer at the Dudley Union (Staffordshire). Initially notified of this fact by an anonymous local ratepayer, annotations by PLB officials on the letter prove that they looked into Stokes's case and wrote to inform the Dudley guardians of his earlier dismissal.⁷⁹ Similarly, in September 1841 Thomas Owen, workhouse schoolmaster at Llanfyllin (Montgomeryshire), had been accused of beating some of the boys with a leather strap rather than the regulation birch rod. In December he wrote expressing his great surprise that the PLC had decided it proper to dismiss him 'when it was the wish of the Guardians of the Union I believe that I should continue in my office'.⁸⁰ The opposite occurred in 1851 when the Berwick-upon-Tweed guardians (Northumberland) sought to dismiss Margaret Atkinson, their schoolmistress, while the Centre objected. Atkinson joined as sewing mistress in 1845,⁸¹ with the role enhanced over the years to include that of schoolmistress. However, in 1851 she

78 These would include the admission and discharge book, the indoor relief list, the master's daybook, the daily provisions consumption account, the weekly provisions consumption account, the quarterly summary and provisions received and consumed, the clothing materials receipt and conversion book, and the clothing receipt and expenditure book. In the middle of the century this list of books and accounts (and others the master was responsible for) would be audited every six months by the district auditor, and keeping these punctual and accurate was a requirement. See, for example, TNA: MH12/9529/456, 50791/1851, Completed audit of books by Thomas Weightman, Workhouse Master, Southwell, with comments on each book audited; and William Power, District Auditor, to the PLB, 17 December 1851. Dunkley, 'The "hungry forties"', p. 341, where it is argued that unions paid such low salaries that they would seek to retain staff at all costs, being unable to replace them.

79 TNA: MH12/13962, 42299/1852, 'A Rate Payer', Letter from Dudley, to the PLB, 10 November 1852. In this instance the notification to Dudley was preferred to excluding Stokes's application.

80 TNA: MH12/16543/275, 11683/A/184, Letter from Thomas Owens, Llanfyllin, to the PLC, 23 December 1841. There is evidence that Owen later returned.

81 TNA: MH12/8979/98, 10565/A/1845, Letter from William Willoby and Edward Willoby, Clerks, Berwick-upon-Tweed Union, to the PLC, 26 August 1845.

refused to be examined by the inspector of schools,⁸² thus denying the union of central funds towards her salary.⁸³ This led to a proposal to abolish her role of schoolmistress. H. G. Clarke, a local magistrate and ex officio guardian for Berwick, wrote to Edward Hurst, the poor law inspector (in an act which points to divisions within the board of the sort already encountered), stating that he and at least some of the other guardians opposed this and hoped the PLB would not support such a 'monstrous' proposal.⁸⁴ Hurst sent the letter to the PLB enclosing a note written by Clarke. There was an attempt to prevent Clarke from speaking at the Board of Guardians meeting where the matter was being discussed based on the fact that he was not an 'elected' guardian, and the issue was only resolved because attention was drawn to the legislation (encountered in chapter 3) specifying that local magistrates were able to serve as ex officio guardians. Now able to speak, Clarke asserted that Atkinson had greatly improved employment prospects for workhouse children. She had improved the lot of orphan inmates in particular. In the enclosed newspaper reports of the meetings from the *Berwick and Kelso Warder*, Clarke described her 'as a mother to these poor orphans – with a mother's tender watchfulness, with a mother's considerable care'. Clarke here set out the argument that removing Atkinson and abolishing the role of the schoolmistress would put the future welfare of the young female paupers at risk.⁸⁵ The proposal was defeated and the PLB informed the Committee of the Council on Education and the guardians that they would not allow Atkinson's dismissal, in effect curtailing a tyrannical proposal by the guardians that might have resulted in the suffering of paupers.⁸⁶

82 TNA: MH12/8981/109, 42498/1851, Inspection Report Form from Edward Hurst, Poor Law Inspector, to the PLB, 31 October 1851.

83 TNA: MH12/8981/131, 49796/1851, Letter from the Committee of the Council on Education to Margaret Atkinson, Berwick-upon-Tweed Union, 10 December 1851. On the funding of teaching staff in workhouses, see Jones, 'Schoolmasters'.

84 TNA: MH12/8981/127, Letter from H. G. Clarke, Guardian, Berwick-upon-Tweed Union, to Edward Hurst, Poor Law Inspector, 1 December 1851.

85 TNA: MH12/8981/128, 48369/1851, Letter (and enclosures) from Edward Hurst, Poor Law Inspector, to the PLB, 3 December 1851. Very similar arguments about the mothering role of female officers were made in other workhouse contexts: see Upton, *The Birmingham*, p. 97. On the workhouse 'family' under the Old Poor Law, see Ottaway, 'The purposeful', p. 24.

86 TNA: MH12/8981/136, 50235/1851, Letter from the PLB to Harry Chester, Committee of the Council on Education, 19 December 1851. Atkinson resigned ten months later because the guardians would not separate the duties of infant teacher and sewing mistress: see MH12/8981/321, 37963/1852, Letter from William Willoby and Edward Willoby, Clerks, Berwick-upon-Tweed Union, to the PLB, 20 October 1852.

Although by the middle years of the New Poor Law – from the 1870s and 1880s onwards – a new consensus was starting to coalesce around the idea that workhouses were not the place for young people, tyranny towards children remained a lasting feature in our data.⁸⁷ The inconsistent attitude of the Centre towards dismissals and its inability to control appointments to adjunct welfare institutions simultaneously allowed the perpetuation of tyrannical practice and made it even more individualized and situational. Thus, in 1894 Ella Gillespie, the workhouse nurse at the Hackney Union school (Middlesex), was tried by the Brentwood magistrates for cruel and inhumane treatment of children. The abuse took place over eight years, and it was claimed by the Hackney Union authorities that the guardians and other staff had no knowledge of Gillespie's activities, which included burning the children's skin, removing their food and water, banging their heads against walls, having them kneel on hot water pipes, and using stinging nettles to whip children's naked bodies. She was convicted and sentenced to five years. Incredibly, Gillespie served just over two years, and at the 1901 census she was matron of an Oxford industrial training school. Proven tyrannical behaviours and conviction for cruelty in a workhouse were not then necessary obstacles for future local authority employment, and it is easy to see that such cases would attract wide knowledge and underpin a 'feeling' of petty tyranny.⁸⁸

Even as we enter the twentieth century, workhouse tyranny and staff dismissals remained a live concern within unions. At the Prestwich workhouse (Lancashire), LGB officials investigated the death in late 1906 of W. W. Cowan, a pauper lunatic at the Prestwich Asylum, whose death was hastened by injuries alleged to have been inflicted during his time in the Prestwich workhouse. It was reported in the press in January 1907 that an investigation had found that bruises and fractured ribs were caused in the workhouse 'by direct violence' and had called for three lunatic attendants' dismissal. The report also found that Dr Boddy, workhouse medical officer, and W. T. Jones, workhouse master, were at fault, with an over-delegation of responsibilities to junior staff – in this case to the attendants – even if their actions *were* strictly legal. There was a separate accusation of Boddy falsifying the medical books. Both officers were called on to resign.⁸⁹ Yet – and despite being presented with obvious cases of tyranny by person, process, and neglect – the guardians appealed for a reconsideration of the decisions, characterizing them as too severe. One of the guardians remarked: 'In any event ... we cannot

87 As also under the Old Poor Law. See Ottaway, 'The purposeful', *passim*. See also Randell, *Life in a Rural Workhouse*, pp. 78–80, 130–32.

88 King and Beardmore, 'Contesting'.

89 *Manchester Courier*, 25 January 1907, p. 3.

dismiss all the officials at once. We must have officials at the workhouse to do the work.⁹⁰ Reading through the press reports it is clear that they particularly wanted to retain the services of Jones. The Prestwich board enlisted the guardians at Wigan (Lancashire), who also protested to the LGB on behalf of Jones, citing his previous service to the Wigan Union.⁹¹ The guardians of both unions found the LGB unmoved; in October 1907, and after many months of consideration, it confirmed that their resignations were still required. Even at this point the guardians asked to visit the LGB as a deputation 'to see if they could not prevail upon them to alter their decision'.⁹² The later news that the LGB had refused to meet them caused fury among the Prestwich guardians, matching that of other boards encountered earlier in our book who persistently resented the activities of the LGB. Many spoke of being treated unfairly, while others spoke of resigning; another labelled the LGB 'both the devil and the deep sea'.⁹³ The National Association of Workhouse Masters raised Jones's case at its meeting in late November, regretting the decision of the Centre, thanking the Prestwich guardians for supporting Jones, and hoping it might yet re-appoint him.⁹⁴ In short, tolerance of abusive behaviour and histories within the poor law system appears to have been considerable, even if we can find prominent examples of prompt and decisive central action. The consequences for the episodic breakthrough of petty tyranny as we have defined it are obvious.

CONCLUSION

The post-1834 central poor law authority understood that its existence posed a challenge to previous local power dynamics that had dictated the appointment, monitoring, and dismissal of workhouse staff and officers. Under the Old Poor Law, such arrangements had generated a complex array of staffing forms, albeit that we can see a broad tendency towards long-term and more professional organization (and even dynastic office holders) in the decades immediately before 1834.⁹⁵ This complex matrix of staffing – everything from farmers of the poor through to professional workhouse governors, assistant overseers, and masters – means that we cannot with any certainty locate

90 *London Daily Chronicle*, 1 February 1907, p. 6.

91 *Liverpool Daily Post*, 9 February 1907, p. 11; a full copy of their petition can be found in the *Wigan Observer and District Advertiser*, 9 February 1907, p. 12.

92 *Manchester Evening News*, 3 October 1907, p. 5.

93 *Manchester Courier*, 1 November 1907, p. 12.

94 *Wigan Observer and District Advertiser*, 23 November 1907, p. 7.

95 Especially in larger towns. See Upton, *The Birmingham*, pp. 85–100, 114–33.

spatial patterning to the potential for and practice of tyranny, still less see variations according to community type. But tyranny clearly *was* an issue, and variation of parochial control over staffing appointments and practices was very considerable. As we have argued, there is no escaping the fact that the lower levels of parochial administration were sometimes peopled by shady, corrupt, and tyrannical individuals. Notwithstanding the undoubted power of the post-1834 Central Authority, there is little systematic evidence to suggest that the appointment, qualifications, and control of workhouse staffing improved rapidly in the initial decades of the New Poor Law. In practice, the Central Authority was relatively small – much smaller in manpower than the network of local guardians and paid officials over which it was to have oversight. A very real power that the Central Authority wielded over the hundreds of local poor law unions and thousands of their staff was its power of administration, especially financial control through auditors and control over staffing appointments and dismissal. The Centre's monitoring of visiting committees that broadly scrutinized the running of workhouses overall, including pauper complaints, and their ability to sanction staff appointments and initiate dismissals continued through to the end of our period, and it is here where most of their administrative muscle lay. But it was inconsistently applied, and it had highly variable outcomes. We have seen in earlier chapters the reticence and inability to interfere in staffing issues and the problems of imposing their will on intransigent Boards of Guardians. In this chapter we see that although the Central Authority established rules around appointments and dismissals, and despite the fact that appointments were forwarded to the inspectorate and sometimes refused or made subject to a trial period, most appointments would have been determined (even though later sanctioned centrally) by guardians working from either personal knowledge or testimonials.⁹⁶ Following up every application and receiving notice of all dismissals and of all paid staff did provide the Centre with some data to protect paupers, but their work here was patchy, as it also was on the issue of formal punishments – a theme to which we now turn.

⁹⁶ Working from testimonials allowed some due process to grade applications for workhouse posts. See, for example, Owen Williams, Clerk to the Holywell Union, writing to Henry Hughes, Schoolmaster, Llansantffraid, near Conway (Caernarfonshire), to tell him that he had not been elected to the position of Holywell schoolmaster because the reply to the reference made in respect of his moral character was not satisfactory. North-East Wales Archives, Flintshire Record Office, G/B/A/14/57B/1, Holywell Poor Law Union Letter Book, 1843–51, 26 June 1847.

The Pauper Punished

On 23 September 1833 the master of the St Clement Danes workhouse (Middlesex) presented ten boys before the magistrate Mr Halls. He alleged that when the boys had been ordered to bed, they protested that they had received insufficient supper and promptly ‘continued rioting for some time’ such that a policeman had to be called and the boys were arrested. The details of the story fit well with ingrained notions of workhouses as harsh and tyrannical sites: the children were underfed, and when they protested in the only way they knew how, the full force of the law was applied against them. Rioting carried substantial penalties even for children. In the background stood the workhouse master, a man seemingly unable to manage his own institution without the help of the law.¹ To pick up our classification from the preface, the story encapsulates tyranny by process, person, conflict, and neglect.

The parish of St Clement Danes had a history of such tyranny (in keeping with the second strand of our tripartite definition of the term), something revealed by the survival of a comprehensive Old Poor Law pauper letter archive. The text written by Samuel Allen – ‘a resident Housekeeper in the above named Parish for the space of thirty years during which time he has Always paid the regular Rates’ but who now found himself having ‘asylum in the Poor House’ – encapsulates the risk. He reflected on his good behaviour in the workhouse as follows:

avoiding as much as possible all intemperances particularly drunkenness & the more mendacious act of begging when allowed to go out to visit his friends thereby doing justice to the Board of Management & also by not perverting the charitable intents of the Donors to the Parish by an evil example nor has your Petitioner ever been confined or otherwise punished for any offence whatever during the time.

¹ ‘Bow Street – This day’, *The Sun*, 23 September 1833.

And yet he now found himself in trouble because he had 'unwittingly broken one of the rules established in your House' having:

from time to time [been] in the habit of collecting from different wards within the aforesaid House & from the Governors refuse such bits and scraps as were found to be not eatable such as hard pieces of bread stale or rotted potatoe rind & heel of cheese bits of sinew or gristle not digestible & such other scraps & matter picked from the yard & sinks not fit to be eaten and did take & carry the aforesaid scraps & matters thro' the outer door of the said House without any harm molestation or admonition or control whatever.

The waste material had been sold as swill for the local pigs when Allen was given leave from the workhouse.² An accepted bending of the workhouse rules thus turned overnight into a punishable offence once the workhouse officers realized the value of the slops, an example of tyranny by person and conflict. Alive to the prospect of harsh punishment for theft, Allen 'asks pardon of the Committee Overseers & promising not to repeat the like and also that this Memorial is intended by your humble Petitioner to act as a warning to others how they commit themselves in a like way in future'.³ This was a skilled act of anticipation and claiming of the moral ground, but the litany of tyrannies here is still considerable.

Nonetheless, we should be cautious in our characterization of Old Poor Law processes. The ten boys who appeared before Mr Halls in Bow Street magistrates court in 1833 escaped the full force of the law. Halls admonished the master for locking them up with hardened criminals, arguing that this was 'not the way to make them better' even if it was perfectly legal. The boys were discharged, albeit with a recommendation that each be flogged as an example.⁴ Halls clearly felt that he had acted to prevent tyranny, notwithstanding the fact that the children might still have been punished. This is borne out by his imprint in the rest of the parochial archive, where we encounter him several times (as perhaps we might have expected from chapter 3) overturning local decisions or actively advocating for the poor. One example is that of Mathias Flemming, a formerly very prosperous tailor who had now fallen on hard times, whose case Halls would 'recommend' to the 'especial notice of

² For pigs in community relations and politics, see Drake, 'From old bills'.

³ COWAC, B1344-10 – St Clement Danes, Undated letter, likely 1828. On disputes over food waste in workhouses, see Miller, 'Feeding'.

⁴ On workhouse flogging of children, see King and Beardmore, 'Contesting'.

your kind officers', with the clear implication of further action should they fail to either notice or be kind.⁵

The rest of this chapter explores the intricacies of punishment procedures and experiences within Old Poor Law workhouses and compares them with the post-1834 punishments under the Central Authority's guidance. The analysis will be the first ever attempt to link the exercise and experience of coercive power under the two systems. We will highlight a significant level of continuity in what was punished and how between the two systems. This includes the passing of paupers to the criminal justice system. Here, individuals would sometimes find that the magistrates who tried them were the guardians or overseers who sent them in the first place or were in the same social and local groupings as those guardians and officials, but at least under the Old Poor Law, as we have seen, the outcomes were not inevitable. For punishment regimes under the New Poor Law, we will show that (as also under the Old Poor Law) officials were often highly selective in which punishments were recorded, and which workhouse groups were formally and informally punished in the first place. This opened up the possibility of a systemic breakthrough of petty tyranny linked to person, place, and process.

CATEGORIES AND SITES OF PUNISHMENT: THE OLD POOR LAW

Accounts of punishment in Old Poor Law workhouses are fractured and often brief. There are no equivalents of the mandatory punishment books that can underpin analysis of some New Poor Law institutions.⁶ Indeed, as we have suggested already, most workhouses outside of the very largest conurbations leave no records at all.⁷ In this sense the distribution of punishment types captured by figure 7.1 (overleaf) cannot be regarded as systematic, representing at it does the harvesting of all stated or inferred instances of punishment from pauper and advocate letters, vestry minutes, newspaper articles, pamphlets, and ego-documents.

5 COWAC, B1344-1 – St Clement Danes, Letter, 14 June 1818. See also COWAC, B1344-14 – St Clement Danes, Blank pro-forma for complaints by paupers to magistrates against a parish decision. This, already encountered briefly in chapter 3, is one of seventeen in the archive and was headed 'from the Public Office, Bow Street', indicative of an active business in confronting tyranny.

6 Williams, 'Paupers Behaving Badly'.

7 Though for the detailed records of London workhouses, see Boulton and Black, 'Paupers', pp. 79–91; Green, *Pauper Capital*; and Siena, 'To the Hospital'. Susannah Ottaway's 'The purposeful' provides an excellent analysis of Norfolk workhouses.

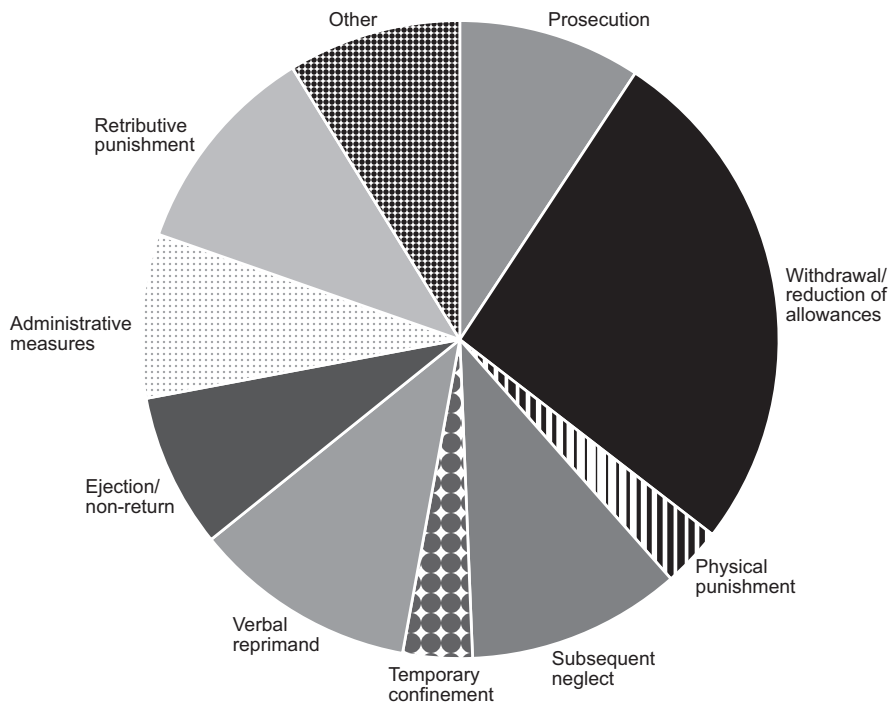


Figure 7.1. The distribution of punishments 1790–1837. (Notes. Total cases = 526. Instances where a number of people were punished for group offences conducted at a single time (for instance a riot) count as one case in the chart.)

The pie chart also poses conceptual problems. The data (like that for the New Poor Law) is replete with the sentiments of officials and paupers to the effect that the offer or coerced receipt of relief in the workhouse was itself a form of both tyranny and punishment. We have covered this theme already in chapters 1 and 2, but sometimes this elision was very direct. In Rothwell (Northamptonshire) a vestry meeting of 3 February 1825 resolved that widow Chapman would ‘have her allowance continued if she acts properly, otherwise she is to be placed in the workhouse’. On the same day, widow Ashby’s plea to have her allowance restored and not to be sent to the workhouse would only be agreed to if she apologized for her ‘ill-behaviour to the vestry’.⁸ A similar sense that the threat of the workhouse would helpfully dissuade applicants or force them to accept a lower allowance than they might have wanted weaves through pamphlet literature and overseers’ correspondence and was

⁸ NRO, 284p/189, Rothwell Vestry Minutes, 1823–6.

the subject of complex rhetorical avoidance strategies by poor writers and vestry attendees.

The association between workhouse entry and punishment in the public imagination becomes explicable when we consider texts such as that of William Day, who argued in 1833 that the workhouse should 'join the discipline of a prison to the incontamination of a manufactory'.⁹ We might construct this as structural punishment, and we have encountered the conceptual overlap between prison and workhouse several times in earlier chapters, but it cannot easily be captured in figure 7.1.¹⁰ In the same vein, symbolic punishments are also missing. The practice of badging the clothing of the indoor poor has a light imprint in our data from the 1800s,¹¹ but the question of workhouse clothing remained a charged one, notwithstanding recent scepticism that anything like an enforced workhouse uniform existed (as fact or symbolic punishment) under either the Old or New Poor Laws.¹² Other symbolic punishments arising out of enforced workhouse residence included the breaking apart of family groups, though the inquiries of the Reverend Christopher Brereton, citing the case of the Gressenhall workhouse (Norfolk), is a useful corrective to casual and universalizing conclusions. He noted that families sometimes forced old men into the workhouse against their will, abandoning their moral and familial duties.¹³

These ambiguities notwithstanding, figure 7.1 can convey a strong sense of the way in which different sorts of tyranny (by process, neglect, inaction, and person) and the inventive use of otherwise-legal punishment were potentially entwined. Thus, and to take up a theme from earlier chapters, surprisingly few people were prosecuted for workhouse offences.¹⁴ Indeed, cases of prosecution

9 W. Day, *An Inquiry into the Poor Laws and Surplus Labour, and their Mutual Reaction, with a Postscript* (London: James Fraser, 1833), p. 26.

10 We should be careful about conceptualizing the offer of the workhouse as somehow unique in this sense. Historians of the settlement and removal system have consistently pointed out that the threat and practice of removal was simultaneously constructed as both tyrannical and as a punishment. For an early elaboration of this theme, see Redford, *The History of Local Government in Manchester, Volume II*, p. 102.

11 For earlier context to the process, see Hindle, 'Civility', pp. 50–51; Hindle, 'Dependency', pp. 6–35.

12 Jones *et al.*, 'Clothing'.

13 C. Brereton, *An Inquiry into the Workhouse System and the Law of Maintenance in Agricultural Districts* (Norwich: J. Hatchard and Sons, 1829), p. 102.

14 Though local discussion of the need to prosecute was much more frequent. For a detailed anatomy of such thinking in relation to the Dartford (Kent) workhouse, see E. Melling (ed.), *Kentish Sources IV: The Poor* (Maidstone: Kent County Council, 1964), pp. 105–7.

were more than outweighed by instances where no action at all was taken, as with Elizabeth Brownlow of Oundle, who persistently used the workhouse in order to replenish her stock of clothes and feed herself up having claimed long-term illness. Although the view of the overseer was that she 'came the old soldier over us to use a Common phrase for the last year or more', there was no attempt at prosecution or other form of punishment.¹⁵ Verbal reprimands (either an outcome of prosecution or an alternative to it) were more common, though why one pauper attracted this 'punishment' and others did not is often unclear. Thus, in 1813 the magistrate Sameul Whitbread was convicting Joseph Markham of 'riotous behaviour' in the Eaton Socon workhouse (Bedfordshire) yet set him free with a reprimand, but Thomas Pendred was not so lucky in 1817 when he was sentenced to a month of hard labour for threatening the life of the Eaton Socon workhouse master, William Day.¹⁶

Nor was physical punishment common.¹⁷ William Jones of St Clement Danes (Middlesex) was relatively unusual in this sense. Caught receiving relief in the workhouse at the same time as he had an annuity of six shillings a week, Jones sought to explain away the oversight but acknowledged the fact that he would be required to 'give my Services at the Pump or whatever may be required of me gratuitously'. Moreover, he promised some self-punishment, claiming that 'Gentlemen, I [will] endeavour by example as well as precept to convince those around me that it is equally their duty and interest to be subordinate to their superiors'.¹⁸ It is not hard, however, to see that high-profile examples of physical punishment and restraint could obtain more prominence in the public imagination than real practice would warrant. Edward Rigby of Norwich (Norfolk) concluded that 'workhouses but too frequently rival prisons as abodes of misery'. He quoted a letter written by the reformer James Neild after a visit to the city in September 1812 to inspect the prisons and workhouse. During the inspection, Neild located at the workhouse 'a species of punishment ... that has long been the opprobrium of the slaveholders', and promptly drew a diagram of leg and neck manacles used to restrain juveniles in the house.¹⁹ Even so, physical punishments were in reality a small proportion of all responses to issues in the workhouse.

15 NRO, 249p/216, Oundle Overseers' Letter Book.

16 A. Cirket (ed.), *Samuel Whitbread's Notebooks 1810–11, 1813–14* (Bedford: Bedfordshire Historical Record Society, 1971), p. 34.

17 Though on harsh discipline in Wigan and St Helen's, see Oxley, 'The permanent poor', p. 41.

18 COWAC, B1344-17b – St Clement Danes, Letter, 27 August 1827.

19 E. Rigby, *Further Facts Relating to the Care of the Poor and the Management of the Workhouse in the City of Norwich, Being a Sequel to a Former Publication* (Norwich: Bacon, Kinnerbrook and Co., 1812), pp. 33–5. For the wider situation of the Old Poor Law within the framework of transatlantic slavery, see Williams and May, 'Racial capitalism'.

Two further aspects of figure 7.1 also require elaboration. The first is the numerical importance of reduced allowances/removed privileges and subsequent neglect as responses to insolence, unrest, failure to follow orders, and other disruptive behaviour. The workhouse book of Bray (Berkshire) provides consistent examples of such practice. Elizabeth Powell, 'having stolen Candles from the Cotton Mill' on 3 February 1794, was locked into her workhouse room and forced to undertake 'cotton picking'. Her 'confinement shall continue till she shall prove by her obedience to the above orders that she intends to amend her behaviour & is sorry for her fault'. Then, on 28 February 1797, public complaints about 'malpractices' on the 'Sabbath Day' meant that 'in future no person whatever will be suffer'd to go out or come in without leave of the Master or Mistress of the House'. By 28 March 1797 Ann Link was 'appearing to grow mischievous' in the workhouse. She was initially sent to the St Luke's private asylum (Middlesex) but on her return was kept on reduced diet and refused permission to sojourn outside the workhouse. On 22 January 1798 'persons refusing to go to Church, shall be deemed incapable of going out of the House for any other purpose'. Then Henry Corker was 'complained of for bad behaviour' on 18 February 1798 and it was ordered that 'if he behaves ill' during his time in the workhouse, he would 'have no victuals the next day'.²⁰ This schematic rendering points both to a considerable undercurrent of disobedience in the Bray workhouse but also to a determination on the part of the vestry to use what we might understand as 'soft' methods as a first port of call.

A further and final aspect of figure 7.1 is the presence of retributive punishment; that is, actions against an individual or family some time after events had taken place or initial sanctions had been meted out. Few officials were as direct as the overseer of Farringdon (Oxfordshire), who wrote to his counterpart at Stanford-in-the-Vale (Berkshire) on 18 April 1811 to say 'with great satisfaction' that the workhouse master had 'Completely master'd Richard Pulbrook' though a long series of low-level retributive punishments, such that he now wanted to leave the workhouse and live an independent life.²¹ Nor were such punishments always as obvious as the extended use of the treadmill and a black hole that we find in North Yorkshire workhouses.²² Still, almost no parish in our dataset failed to evidence at least some retributive punishment. Examples include the goading of paupers to try and incite them into more violent action that could then be punished

20 BRO, D/P 23/18/3, Bray workhouse book 1772–99.

21 BRO, D/P 118/12/1, Stanford-in-the-Vale Overseers' Accounts. This loose letter is at the end of entries for 1792.

22 Hastings, *Poverty*, p. 25.

‘properly’;²³ after-the-event changes to work regimes; forced apprenticeship of children; denial of medical care; refusal of allowances that might let an individual leave the workhouse; and the slow payment of allowances.

SELECTIVE PUNISHMENT PRE-1834

These are important observations and they emphasise the deep potential for tyranny flagged in chapter 1, but the power to punish was *not* unconstrained. In December 1810 Thomas Musick complained to the Bedfordshire magistrate Samuel Whitbread that the workhouse master of Stanford (Bedfordshire) had assaulted him. Mr Dilly, the master, was obliged to give 1s in compensation.²⁴ More widely – and as we have seen consistently thus far – workhouse governors and (to a lesser extent) farmers were subject to extensive rules of conduct.²⁵ The rules and regulations for the workhouse agreed by the Walthamstow (Essex) vestry on 24 September 1830 and subsequently made into a poster for the workhouse walls (in anticipation of this as a formal requirement under the New Poor Law) are a good example. For the paupers these rules sanctioned tyranny by process (forcible physical examination, stripping, listening to prayers, enforced shaving), neglect (including symbolic tyrannies such as being forced to remain seated at church services until the rest of the congregation had departed), and conflict (including three offences punishable at law or by sanction). These sorts of petty tyranny are a feature of workhouse rules across the later Old Poor Law, especially in and around London.²⁶ Even so, there were balancing mechanisms. Walthamstow paupers were enjoined to ‘bear quietly the just reproofs of the Master and Mistress’ and to avoid all sorts of confrontational behaviour. Yet the last line of the rule sheet reads: ‘all who may think themselves ill-treated by the Master or Mistress are at full liberty to complain to the Overseers’.²⁷ In other places such clauses were followed by a list of the duties of officials, just as under the New Poor Law.

23 As happened with George Butcher, Richard Paine, and John Tooze, who, after a series of challenges to the overseers of Longbridge Deverill (Berkshire), were all drawn into striking or abusing the overseer, for which they could then be prosecuted. See B. Hurley and D. Grout (eds), *Longbridge Deverill Poor In and Out of the Parish 1816–1821, 1826–1835* (Devizes: Wiltshire Family History Society, 2004), pp. 29, 35, 36.

24 Cirket, *Samuel Whitbread’s Notebooks*, p. 34.

25 Taylor, ‘The unreformed’, p. 66.

26 MacKay, ‘A culture’, pp. 216–17.

27 Poster, Waltham Forest Museum. These rules represent a codification of practice that had been developing since the 1770s. See Gibson, *The Walthamstow*, pp. 39–40, 44–9, 62.

Whether such rules were effective in containing opportunities for punishment of the institutional poor is uncertain. However, the fact that our Old Poor Law data extends to more than seventy parishes and yet we can trace only 526 instances of punishment over forty-seven years points to the systematic under-recording of punishments, to their selective employment, or to both. Exactly the same observation has been made of the New Poor Law, where punishment books pick up only a fraction of the likely offences in all workhouses.²⁸ This point was crystallized by Thomas Blunt, the incoming overseer for Rothersthorpe (Northamptonshire), in 1804, who lamented the fact that his predecessors had allowed the workhouse poor to get used to being unruly and had failed to prosecute some of the most egregious breaches of rules and processes such as theft, corruption, absconding, and the sexual or other assault of other inmates.²⁹ While he was unspecific about who and what was selectively punished, he was clear that only a small proportion of all 'offences' were pursued.

Analysis of our wider data suggests that the disruptive or confrontational activities of three groups attracted particularly close attention. The first – single mothers – is unsurprising.³⁰ Under both the Old and New Poor Laws this group were seen as a symbolic and practical threat to the order of communities and the institutions that they built or to which they subscribed. The prospect of the moral pollution of others might attract particular scrutiny, but the self-confidence of many of these women (particularly when faced with unfair restrictions on their conduct and freedoms) also drew them into verbal conflict with officers, ratepayers, and other inmates, for which they were punished.³¹ Thus, the Putney workhouse (Surrey) resident Sarah Tyndall appeared at the vestry on 17 November 1823 to apply for relief, presumably an allowance to take her and her bastard child out of the workhouse. She was offered 'half a crown a week for her child out of the House, which upon being called in; she rejected' in very uncivil terms. The vestry took its revenge by ordering that 'she continue to be maintained in the House, and be set to work in employ suitable to her strength and capacity', clearly implying she had not been given such work in the past.³² The workhouse committee at Calverley (Yorkshire, West Riding) was even more determined, prosecuting nine mothers for

28 Carter *et al.*, 'Punishing paupers?', *passim*.

29 Rothersthorpe Parish Church, Correspondence of the Overseers of the Poor.

30 For the definitive statement on this position, see Williams, *Unmarried Motherhood*.

31 Fathers were also punished but almost exclusively outside workhouses. See Harvey, 'The putative fathers'.

32 Wandsworth History Centre PP/1/2/1, Putney Vestry Rough Minutes 1819–31, entry at 17 November 1823.

transgression of rules in the decade after 1788, and recording costs for a number of other sanctions including refitting isolation cells.³³ Still, we should beware of overarching assumptions. The Wighton (Norfolk) workhouse books from 1789 to 1814 record a seemingly endless trail of admissions for single mothers and an equally striking record of them ‘absconding’ or running away from the institutions. Many were serial begetters, inmates, and absconders, and several walked away with workhouse clothing and other property. The books record few prosecutions and almost no other formal punishments or controls on these women. Mary Burns/Barns was sent to the Bridewell for six months in January 1789 for ‘running away seven times and robbing the House three times’. She was also the subject of a long letter from the workhouse master Mr Bingham to the mayor of King’s Lynn (Norfolk) on 14 March 1791 after she was suspected of fleeing there on another occasion. He claimed that Barns was a ‘loose and disorderly woman about the streets and lodging in the open air, and in out houses’. More than this:

Mary Barns was sent to the Workhouse at Wighton established for the maintenance of the Poor belonging to the united Parishes of H[olkham], W[ighton] and W[arham] where she was treated with all possible kindness having every indulgence her disorder (the Venereal) would admit. A Cure just being found she has this morning left the House (without the smallest provocation whatever) and I suppose is gone to Lynn again. Mary Barns has been once publicly whipt and 6 months imprison’d in Walsingham Bridewell for thieving & other misdemeanours three times cured of the Venereal disease and this is the ninth time of her running away from the House. The saying thus much is sufficient as it’s very easily prov’d that she is almost a bandon wretch. Sir, Permit me to assure you after what is said that there can’t be any reason for me to wish the Return of so bad a Person, yet think it my duty to inform you of the above circumstance as such a woman residing in Lynn must be of bad consequence.³⁴

The letter is an important one both for what it tells us about attitudes towards single mothers and also because it raises the possibility that the workhouse environment and controls might in fact ‘provoke’ absconding. However we read the case, Barns was unusual. Other women with equally complex pasts and who absconded even more were not punished nor subject to this sort of reputational destruction. In other words, there was something about Barns

33 WYAS, BDP17/87, Overseers’ accounts for Calverley and Farsley 1788–98.

34 NFRO, PD 553/102, Workhouse book 1789–96. All subsequent references to Wighton are to this book or to NFRO PD 553/103, Workhouse book 1796–1813.

that made her peculiarly worthy of punishment, emphasising once again the often personal and situational nature of the breakthrough of petty tyranny. Even in this case, the workhouse officials seem to have given up trying to control Barns: on 14 October 1801 they noted with resignation that she had 'absconded for the 11th time'.

A second group of the punished inmate poor is also perhaps unsurprising. Children (as one of our opening examples suggested) could be disobedient, unruly, confrontational, and likely to resist authority in groups rather than as individuals. They could disrupt the peace of other workhouse inmates, and at the same time attempts at controlling and punishing them would likely bring officers into intense conflict with parents and relatives.³⁵ Teenage children have been understood as particularly problematic to the New Poor Law as well, but for most pre-1834 institutions the absence of structured education, segregation regimes, and supervised work, allied with persistently inadequate staffing, meant that children posed an existential threat to the order of institutions.³⁶ This did not require that officers needed to punish all offences by all children, but symbolic punishment of particular individuals was vital. We see this clearly in the data. Mary Barns in the Wighton workhouse was recorded in September 1801 as 'the girl Barns', suggesting that she was punished not simply because she was a single mother but because she was a very young teenage mother. On 6 November 1804 we learn that Barns was '18 years come Christmas'. Ann Spooner was similarly problematic in the Wighton workhouse. She stole and 'reeled false yarn', and on 6 November 1805 she was mistakenly committed to the Bridewell despite being too young to be there. By 3 June 1806 she had absconded from the workhouse, taking both workhouse clothing and items belonging to three other women including Mary Barns. It is not hard to imagine the tensions that these thefts generated in the 'workhouse family'. The master tried numerous punishments (work, enforced service, restricted allowances) without effect, and by 6 September 1808 a seventeen-year-old Spooner was pregnant with an illegitimate child. She eventually left the workhouse permanently in 1810. These are particularly detailed cases and timelines for the punishment of children, but the wider data is replete with more fleeting stories that highlight the focus of punishment only on certain children.

Finally, it was imperative that officials and ratepayers confront some instances of disruptive and abusive behaviour where the perpetrator might

35 For an important article on the continuation of these issues and associated punishments and tyrannies in the crossover period of the Old and New Poor Laws, see Shave, "Great inhumanity".

36 Though see Ottawa, 'The purposeful', for a rendering of structure in Norfolk.

by accident or intent whip up wider unrest in the institution. We have seen aspects of this throughout the chapter, especially in instances where paupers verbally abused overseers and workhouse masters in public, but one subset of this group seems to have attracted disproportionate attention: the mad. We get some hint of the scale of the lunatic problem in many places through vestry minute entries such as that on 8 May 1833 at Oundle (Northamptonshire), where the workhouse governor 'applied for an extra 2/- per week a head for lunatics' because he needed to ensure closer supervision and control of the two female lunatics then in residence.³⁷ More specific evidence abounds, and broadly it gives a sense of how attempts to cope with the disruptive presence of insane people often moved from approaches such as treatment and containment to constraint and punishment. This is captured well for the Northamptonshire town of Crick, where expenditure on the new (and insane) workhouse inmate John Hopkins started with improved diet, shaving, and two men to 'attend' him (1831). After Hopkins escaped from the workhouse on 18 July 1832, fellow paupers were paid to go and search for him. This episode prompted the vestry to send Hopkins, in the care of the workhouse master, to Rugby (Warwickshire) so that the parish could consult Mr Walker, a specialist mad doctor there. The subsequent treatment proved ineffective, and Hopkins began – with ravings, assaults, insults, and incitement – to disrupt the good order of the house. He was thus much more closely confined and controlled by December 1833, with John Muscott paid for 'attending John Hopkins 8 nights & 7 days' from the 4th of that month; this was repeated three times at a cost of 16s per episode. January 1834 marked a decisive shift into punishment and constraint, with the workhouse master submitting bills for new keys for the handcuffs, a straitjacket, and four new straps to hold Hopkins in place on a bed. Later in that same year he was conveyed by his attendant John Muscott to St Lukes private asylum in London.³⁸

Examples such as those of Mary Barns and John Hopkins point simultaneously to the exercise of resistance (to which we return in the next chapter), the accumulation of tyranny of various sorts, and the intimate local and situational considerations that shaped official decisions on who and what to punish. They also highlight something more, suggesting as they do that paupers who complained about or confronted tyranny might be punished for having the will or ability to challenge the range of tyrannies outlined in the book's preface. We see this even more for the New Poor Law, to which we now turn.

37 NRO, 249p/166, Oundle Vestry Minutes 1832–5.

38 NRO, 92p/131–132, Crick Overseers' Accounts 1830–35.

CATEGORIES AND SITES OF PUNISHMENT: THE NEW POOR LAW

The punishment of workhouse inmates under the New Poor Law was in theory to be determined by a common set of rules and regulations laid down by the then newly established PLC and maintained and periodically changed/updated by the different iterations of the Central Authority. In part these rules had been based on the operational problems identified and set down by earlier workhouse institutions.³⁹ The association of New Poor Law workhouses and the potential for tyranny of all sorts by poor law officials can be seen in the historical introduction of the system. Discipline was to be the touchstone of the 'well-regulated workhouse' that commissioners, guardians, and paid workhouse staff were to aspire to.⁴⁰ The actual architecture of the workhouse itself was designed to physically divide families and to prevent inmates from viewing the outside world, while the workhouse staff were to supervise the minutiae of pauper lives from waking, to working, eating, and sleeping. Just as under the Old Poor Law, the act of 'offering the house' was, and was constructed as, a key practical and symbolic punishment as well as a kind of systemic tyranny of process. In turn, the archive teems with references to applications for relief that were met with offers of the workhouse that were then refused by the applicant. However, we are interested here not in the overtly societal punishment represented by the workhouse but rather in the tyrannical punishment that the poor could be vulnerable to and the process by which the potential for tyranny broke through to real practice.

Thus, a formal punishment regime was instigated at the very beginning of the New Poor Law, as we have suggested. For adult inmates this primarily centred around either a prescribed period of solitary confinement in a separately maintained refractory cell or the reduction of the pauper diet. Relatively trivial pauper offenses – such as making a noise (particularly if silence was ordered), disobeying any instruction by a union officer, swearing or the use of any profane language, or insulting another inmate – were classified as 'disorderly'. More serious were 'refractory' behaviours, which would include committing more than one 'disorderly' act, insulting the union officers, returning from leave drunk, or acting indecently. Being classed as 'refractory' would lead to a greater period in the cell or a larger reduction in diet. Corporal punishment for male children was permissible as long as the child was not 'reasonably

39 Ottaway, "A Very Bad Presidente".

40 Crowther, *The Workhouse*, pp. 41–2; Brundage, *The English*, p. 77.

supposed to exceed fourteen years'.⁴¹ Thus, collectively, the workhouse officers had a variety of punishments they could call on. Additionally, should the guardians of any union regard any activities or behaviours of pauper inmates as being of a more serious nature, and thus warranting a greater degree of punishment, paupers would find themselves passed from the authority of the guardians to that of the criminal justice system. Collectively, and as we saw in the early part of this chapter, in many ways we recognize these punishments as being something of a continuation of workhouse management found in the larger Old Poor Law workhouses.

Until relatively recently there has been a dearth of New Poor Law pauper punishment studies for England and Wales. It has been twenty years since David Green used parliamentary papers, the vehemently anti-New Poor Law *Times* newspaper archive, and a collection of minute books from London and urban Middlesex unions to provide us with a persuasive account of pauper protesters that established, for London at least, the workhouse as an institution in which officials battled to uphold order and discipline.⁴² Very little work immediately followed, but in recent years there has been a spate of published accounts of New Poor Law workhouse punishment regimes. Collectively we find from such recent studies that paupers often challenged local workhouse authorities with their disorderly, refractory, and criminal behaviours. There is a clear understanding among historians of the limits imposed by our dependency upon the *surviving recorded* punishments of inmates. Until 1841 the recording of pauper inmate punishments was irregular. Names of paupers, their transgressions, and their punishments are often mentioned in guardians' minutes books, but it is unclear if all unions did this, or even if individual unions recorded punishments consistently over time; it is likely they did not.

From 1841, prompted by complaints about workhouse staff being over-zealous in their punishments,⁴³ masters were instructed to keep specific books or ledgers in which all punishments were to be recorded. After this, in theory at least, every instance of a pauper being formally punished would result in a record of their name, the nature of their transgression (and date of same), and the punishment inflicted.⁴⁴ Such sources offer important perspective.

41 *Consolidated General Order*, 6 March 1847, Articles 136–42. There were, of course, also punishments inflicted on the outdoor poor, including denial or withdrawal of allowances on a sliding scale.

42 Green, 'Pauper Protests'.

43 Carter *et al.*, 'Punishing paupers?', p. 167.

44 Columns in the punishment book also allowed for numbering the case, the opinion of the guardians, the date of punishment, the clerk's initials, and general 'observations'.

Common transgressions such as absconding, personal violence (physical and verbal), and refusal of work tasks and common punishments such as dietary reductions, workhouse confinement, and imprisonment by magistrates abound in the literature. Williams found that recorded offenders were predominately male. Out of the eleven English unions she surveyed, only two had fewer male offenders than female. One of these gave the male proportion of offenders as only 22%. Usually, though, it was men who took up most of the room in the punishment books, and in the remaining nine unions surveyed, the average proportion of male offenders was a little over 70%.⁴⁵ We also know more about the motivation of individual transgressors of the rules. Take Sophia Heathfield, for example, who engaged in large-scale window breaking at the Ampthill workhouse (Bedfordshire). She stated that her window-breaking activities were caused by the local officials taking her baby from her, which she 'was suckling ... at the time'.⁴⁶ The act was legal but clearly a focused act of petty tyranny.

Unfortunately, the survival rate of this 'punishment archive' is relatively low, particularly for the early years. We also know that even where records survive in number, not all refractory or disorderly punishments were recorded, while a range of informal punishments also escaped the formal record. More importantly, Carter *et al.* argue that union officers, very much like their Old Poor Law counterparts, chose their battles in regard to who was to be punished and what punishment might be inflicted. Officers thus focused on behaviours that, should they become cumulative, would threaten the paradigm of the 'well-regulated workhouse'.⁴⁷ We see this in punishment books themselves, where some paupers when punished and recorded as such had their records annotated to the effect of their having a history of misbehaviour, even if this was their first or only entry in the volume.⁴⁸ This mismatch between formally sanctioned and recorded punishments, punishments that were given but not recorded, and the active selection of who to punish and when opened up a wide landscape for the practical operation of petty tyranny as well as giving rise to a widespread feeling of disempowerment.

45 Williams, 'Paupers Behaving Badly'. James, 'Sophia Heathfield', finds 78% for Ampthill.

46 James, 'Sophia Heathfield'.

47 Carter *et al.*, 'Punishing paupers?'.

48 James, 'Sophia Heathfield'.

THE TYRANNY OF FORMAL AND INFORMAL PUNISHMENTS

The purpose of formal punishments was (as the phrase suggests) to provide the local officers with the ability to act in the face of inmates' unruly, disruptive, and sometimes criminal behaviours. This did not in itself remove the notion of tyrannical effects, of course; pauper inmates who had no intention of engaging in any rule breaking may still have felt anxious, uneasy, or fearful. Part of the rationale for formal punishments was obviously the example they set to other paupers to avoid exhibiting the same or similar behaviours to those earlier punished. This however presupposes that paupers were always aware of the rules and believed they would be followed, and we have much evidence that this was not the case. For example, in 1845 Ellis Griffith, one of the paupers at the Pwllheli workhouse (Caernarvonshire), gave a statement to an investigation into the treatment of paupers by the master and matron there. With reference to the death of Richard Peter, one of the inmates, Griffith considered he 'cannot say what whether the old man received proper care because I do not know what the regulations are in respect to the place'.⁴⁹ In May 1861 J. Moses, an inmate of the Newport workhouse (Monmouthshire), wrote to the PLB regarding a dispute between the inmates and staff over whether paupers might be allowed to walk around the house 'to exercise for the benefit of their health'. The dispute came to the fore because some officials accepted paupers' rights to take such walks while others sought to prevent them. Moses continued: 'The rules of the house are not to be seen neither have we been told what they are consequently we are frequently blamed for breaking rules we do not know.'⁵⁰ A similar point was also raised by paupers under the Old Poor Law, as we have seen, and this breakthrough of petty tyranny continues across the period. In May 1895, for instance, Robert Hendry wrote from Barnsley (Yorkshire, West Riding) to the LGB with multiple complaints. He accused the workhouse officials of 'Encroachment' on inmate eating times; of omitting to put workhouse rules on show, meaning that paupers 'don't know when they do right or wrong'; of running the workhouse like a prison; and finally of giving him tasks of work he could not complete, leaving him liable to formal punishments.⁵¹

49 TNA: MH12/16053, 1896/A/1845, Witness statement of Ellis Griffith, Pwllheli workhouse, 14 February 1845.

50 TNA: MH12/8095, 14946/1861, Letter from J. Moses, Newport workhouse, to the PLB, 6 May 1861.

51 TNA: MH12/14703, 67478/1895, Letter from Robert Hendry, Barnsley, to the LGB, 21 May 1895.

Hendry's final comment – about being allocated work tasks he could not complete, leaving him prone to formal staff complaints – has been a fleeting feature of earlier chapters, but it was a particular theme for the inmates of New Poor Law workhouses.⁵² Eight Bethnal Green (Middlesex) paupers complained to the PLB in 1850 that they were unable to complete the stone-breaking tasks that had been given to them and that their punishment was a reduction in their diets. Such punishment mitigated against their ever being able to complete the task in future as this had resulted in their becoming 'very weak'.⁵³ In 1859 William Maddox wrote from the Birmingham workhouse (Warwickshire) to the PLB to complain that he had been unable to complete the stone breaking he was put to:

the Labour put upon Mee in the union Wich is this the Master Compells to Mee to Break 1 ton of stones Daily I Went Before the Comittee and the Guardians told Mee to Break What I Can But the Governor Will Keep Mee to the amount of Werk Wich I Cannot do.

Maddox was willing to work and to do what he could, but 'some time Back My food Was stopt from Mee 7 Days', emphasising again that a set workhouse work task could be used as a mechanism by which a formal punishment was predetermined to follow.⁵⁴ This strategy was perhaps a common one implemented by workhouse officials to hide what might have been a case of informal and selective punishments by using (or abusing) the punishment policies set out by the Central Authority.⁵⁵

Let us take the case of Henry Jones and Ann Owen, both pauper inmates at Pwllheli. Jones wrote a letter with multiple complaints about his own treatment and also advocating for Owen and others. He accused union staff of allocating him hard labour work he could not possibly do in his reduced physical state. Jones doubled down on this theme of impossible work following an investigation at Pwllheli overseen by Andrew Doyle, a poor law inspector, who he claimed led only a sham or mock inquiry. Moreover, Jones continued, the women were often treated to this abusive staff conduct. He referred to:

52 King *et al.*, *In Their Own Write*, pp. 265–88.

53 TNA: MH12/6845, 5591/1850, Letter from James Shrimpton, Edward Mills, George Craddock, William Sheppard, Alexander Cecil, George Hanchard, Henry Simpson, and Alfred Humphries, Bethnal Green workhouse, 6 February 1850.

54 TNA: MH12/13308, 45564/1859, Letter from William Maddocks, Birmingham workhouse, to the PLB, 8 November 1859.

55 Nor was it or other forms of manufactured transgression unusual in the recent history of Birmingham workhouse. See Upton, *The Birmingham*, pp. 49–50.

Ann Owens Complaint that the women were under Heavy yoke and cruelty which Mr Doyle Did not very well comprehend at the Inquiry In plain speaking it is this & the women made the least complaint to the Matron about anything not being right That the --- Matron would revenge on them By compelling them to do to more work than They were able for [so] to.⁵⁶

Here, then, concocted (but theoretically legal) punishments pointed to tyranny by process and person.

Although all formal punishments after 1841 would theoretically have resulted in the creation of a record, as we have seen, the use of informal punishments would not be recorded unless raised as a complaint by a pauper, the visiting committee, or an advocate of some kind, or documented in a local or central inquiry. Inmates of all categories were liable to informal punishments, but children – who were rarely mentioned in the 1834 *Report on the Poor Laws* but who were calculated to make up almost 44 per cent of the workhouse population in 1836 – were perhaps more liable than most.⁵⁷ Just as under the Old Poor Law, children were an implicit threat to good order. Thus, in April 1866 Mary Ann Morgan, a twelve-year-old inmate of the Abergavenny workhouse (Monmouthshire), provided a sworn examination at an inquiry into the alleged violent conduct of Julia Morgan, the matron, towards her:

On the Thursday before I complained to the Guardians of having been beaten I went to Mrs Morgan to ask her for some worsted. She was in the Store room. She said I have a word to say to you - "I have heard that you have told somebody I horse-whipped you" I said I had. She said she would lock me up and took me out and locked me in the girls' bed room from 11 o'clock till 7 at night. I had some bread - nothing else. Before I was locked up Mrs Morgan gave me several slaps on my back. I had my clothes on. About a month before this Mrs Morgan told me to clean the passage and stairs. I had to do it by 9 o'clock. I had done it many times before and knew I had to do it by 9 o'clock. I did not do it this time by 9 o'clock and Mrs Morgan whipped me with a whip. She struck me several times on the back. It was with the whip produced [in the investigation]. I did not complain to anybody then. When she slapped me on the back I told my sister-in-law who is an inmate of the workhouse and she took me before the Board.⁵⁸

56 TNA: MH12/16063, 41130/1868, Letter from Henry Jones, Pwllheli, to the PLB, 13 May 1868.

57 Crompton, *Workhouse Children*, p. 46.

58 TNA: MH12/7971, 14728/1866, Copy of a witness statement of Mary Ann Morgan, Abergavenny workhouse inmate, 23 April 1866.

Morgan confirmed that she had overstepped her authority in beating the girl and voiced her regret for doing so.⁵⁹ In her defence she claimed that Mary Ann 'gives me a great deal of trouble. She is a bad little girl' and that 'She is a very dirty child'. The guardians thus resolved that while they 'entirely disapprove' of the beatings, they considered the 'chastisement inflicted on Mary Ann Morgan which has been complained of was not of a serious nature'. As such – and noting that Julia had stated she was not aware that she was exceeding her powers and had expressed her regret – the guardians admonished her and hoped the matter could rest there. John Graves, the poor law inspector leading the investigation, suggested that the guardians might be informed by the PLB that the matron was guilty of 'serious misconduct in this case, especially in punishing the child for having complained of a previous whipping', but after expressing Julia's regrets to the guardians, they intended to take no further steps.⁶⁰

Schoolmasters played a prominent position in disciplining children, of course, and they were in fact one of only two poor law union staff (the workhouse master being the other) authorized to inflict corporal punishment on young boys.⁶¹ In March 1867 W. White wrote two letters to John Walsham, poor law inspector, concerning the treatment of boys by the Colchester workhouse (Essex) schoolmaster. White had learnt from the workhouse medical officer that earlier rumours of *unsanctioned* punishments were true. White and Mr Bedwall, one of the guardians, went to the school to ask the schoolmaster what punishments he used on the children. He admitted to slapping the boys across the face 'and several other ways'. White then said to the teacher that he had heard that boys were also instructed to hold a brick on or over their heads for half an hour at a time. The teacher agreed, adding it was a punishment of his own invention. Indeed, when pushed, the schoolmaster admitted to increasing the number of bricks up to three on at least one occasion, at a combined weight of at least 15 pounds (6.8 kilograms), although not for as long with this number. White asked who the child was who had 'had to stand up so much'. The teacher pointed to a little boy named Bamplin, suffering with chilblains and whose hands and feet were bound with linen as a result. White was clear that this chastisement was not uncommon at Colchester, and several boys who were victims of this form of punishment were named in the letters to Walsham.

59 It was specified that no corporal punishment was to be inflicted on girls. See *Consolidated General Order*, 6 March 1847, Article s 138.

60 TNA: MH12/7971, 14728/1866, Copies of statement of Julia Morgan, resolution of the Abergavenny Guardians, and notes from John Thomas Graves, Poor Law Inspector, April 1866.

61 *Consolidated General Order*, 6 March 1847, Article 141. Jones, 'The Schoolmaster'.

Moreover, White believed that the method of punishment was employed in aggravated form: 'one of the Boys [was] bleeding from the nose, whilst under the punishment – but whether it was accidental or caused by the punishment I cannot tell'. White later asked the workhouse master whether he knew, and he responded in the affirmative. White further asked if it was recorded in the punishment book, and the master responded that 'I should not think it is it is not likely that the Schoolmaster would put such a thing in the book'. He also contended that the punishment was not severe for 'very troublesome boys' and that half an hour was not too long. Regarding the holding of three bricks above their head, the master did 'not think that would hurt a strong Boy'. The workhouse master went on to defend not only the schoolmaster's punishment but also his decision not to record it, claiming that as it was not regarded as corporal punishment, not being a flogging with a birch or cane, it was unnecessary to record. Here, then, selective recording and selective punishment were combined. White was unmoved by the argument and adamant that forcing children to hold bricks above their head was very much 'a cruel punishment'.⁶² This stands as a clear example of tyranny by both person *and* process, but also one that was highly situational.

Of course, it was not only children that might receive informal and improper punishments. In February 1847 an anonymous letter was received by the PLC from Bethnal Green (Middlesex) accusing Mr Tarent, the workhouse superintendent of labour there, of blackening James Bates's eye with his staff for 'insolence'. The letter writers considered the case 'a Curcamstance of Brutal usage' and believed Tarent to be 'a Brute [and] not a fitt and Proper Fellow to hold that sitavation'.⁶³ John Cook, an inmate at Birmingham, gave evidence of another allegation of physical violence. He deposed that Mr Bracknell, the workhouse master, had taken hold of Ann Cracknell, one of the female inmates and a single mother. He 'put his hand at the back of Cracknells neck & ran her down the Hall as fast as he could & punched her with his knee all the while till she came to the centre door leading on to the Corridor'. The master was responding to two other women (not Cracknell, although evidence of the case indicates she could be a 'difficult' pauper) throwing a salt cellar and a tin of water in the dining room. More serious was Cook's evidence that

62 TNA: MH12/3439, 18027/1867, Letters from W. White, Colchester, to the PLB, 19 and 21 March 1867. It is unclear whether White was writing as a ratepayer or a guardian. The punishment of children continued throughout our period, pointing to a seam of sadistic workhouse staff drawn to poor law work; see the account of Ella Gillespie, the brutal nurse at the Hackney workhouse (London) in the 1890s, in King and Beardmore, 'Contesting'.

63 TNA: MH12/6845, 3353/1847, Anonymous letter, Bethnal Green, to the PLC, 23 February 1847.

'The Master struck Cracknells head purposely against the door & I am sure it was the centre door I heard the blow of the head against the Door'.⁶⁴ In 1895 several inmates of the Barnsley Union wrote to the LGB to complain of the 'petty tyranny of Our Master if we complain of Our food being underweight, we are placed in the cells for 48 hours, nor have we any way of redressing our wrongs'. In this instance several different types of petty tyranny were alleged in a single letter: first, inmates being served underweight food; second, inmates being placed in the refractory cells for making a reasonable complaint to the union officers; and third, inmates being denied the opportunity (as was their theoretical right) to make their case to the guardians.⁶⁵

The Barnsley workhouse inmate's complaint that their initial grievance was then the cause of further punishment is particularly germane and is perhaps best regarded as a subcategory of tyranny itself. Here, the allegation was that complaining of petty tyranny resulted in new and further punishments, presumably as officers tried to focus their mistreatment on those most likely to disrupt the workhouse environment, just as under the Old Poor Law. For example, in January 1844 seven Basford workhouse (Nottinghamshire) inmates wrote to the PLC to say that they were unable to get clean clothes, and many were 'lousy' with vermin. However, 'complain they dare not for Mr Rolleston told the Governor that if any one of them complained to bring them before him and he would punish them'.⁶⁶ In July 1853, in relation to an inquiry into allegations of mismanagement made by the guardians against the master and matron of the Birmingham workhouse, an inmate called Rosetta Flaherty deposed that regardless of her witnessing several instances of mismanagement, 'I never made any complaint to any of the Guardians. I never made any complaint to the Matron, nor to the Master. I have too much fear of the Master to make any complaint to him.' Flaherty went on: 'I was told in the Nursery by different Inmates if I complained to the Guardians it would only be the worse for me'.⁶⁷ In August 1859 Fanny Hitchins, writing from Abergavenny, complained that she was refused when taking milk and oranges to her brother, then a sick inmate in the Abergavenny workhouse, and that she

64 TNA: MH12/13299, 38161/1853, Witness statement of John Cook, Barnsley, to the PLB, 18 October 1853.

65 TNA: MH12/14704, 127645/1895, Letter from Moses Whitehouse, Horace George Clegg, James John David, and John Carr, Barnsley workhouse, 21 October 1895. The letter contains other multiple complaints of ill-treatment.

66 TNA: MH12/9234/41, 2757/B/1844, Letter from Thomas Hall, Samuel Lomas, George Parkins, Henry Buts, John Torr, Charles Smith, and Joseph Slack, Basford workhouse, to the PLC, 15 January 1844.

67 TNA: MH12/13304, 33457/1855, Witness statement of Rosetta Flaherty, Birmingham workhouse, 18 July 1855.

‘was struck & knocked away by the Master of the Union house himself & turned from the gates’. She related several charges against the master including short measures and poor-quality food:

Old Beef that is given to my Brother & the others is quite black and so hard & tuff that the Poor People cannot chew or masticate it & the Meates & other Foods are so carelessly spoiled in cooking that the Poor people cannot eat them & they are continually complaining of hunger & half starved.

Fanny alleged that the ‘The Poor People in the house are afraid individually to complain’ and hoped the PLC might instruct some form of investigation into the running of the workhouse.⁶⁸ The situation at Abergavenny seems to have remained unchanged judging by the accusations of the anonymous petition sent by workhouse inmates in June 1869. They accused the master of purchasing inferior food at cheap prices and keeping the profits of such activities to himself. They described the situation at Abergavenny as an ‘injustice [that] cannot be brought to light by any Pauper; not one of whom dare report the said grievance, knowing the way the complainant would be victimised after’.⁶⁹ Such complaints carry into the early twentieth century and give a sense of how a ‘feeling’ of petty tyranny could emerge and become ingrained. In May 1900, at a meeting of the Prescot Board of Guardians (Lancashire), a letter was read out from the LGB asking for the local board’s observations. The LGB had received the letter from Hiram Daniel, an inmate of the Prescot workhouse, who alleged that in his earlier correspondence he asserted that ‘any inmate of this workhouse who had courage enough to complain about anything which either the Guardians or officials did was immediately marked out for punishment at the earliest opportunity’.⁷⁰

Such punishments may have happened under the Old Poor Law, but there is little significant evidence of it. Other forms of informal tyranny also had a particular post-1834 imprint. Thus, for instance, the discretionary nature of funding and competitive tendering for pauper goods and services maintained tensions between guardians, and between guardians and sections of the rate-payers, whose recorded discussions illustrate the precarious position of the

68 TNA: MH12/7968, 33725/1859, Letter from Fanny Hitchins, Abergavenny, to the PLB, 20 August 1859. Underlining from the original.

69 TNA: MH12/7973, 33948/1869, Letter from inmates of the Abergavenny Union to the PLB, 18 June 1869.

70 *Liverpool Weekly Courier*, 12 May 1900, p. 8. Daniel now suspected the LGB was punishing him for that accusation by disregarding all of his letters over the last three or four years.

pauper complainer. In late August 1907 the Cheltenham (Gloucestershire) board discussed the purchasing of reading glasses for pauper inmates. The issue was raised by Mr Parker, one of the guardians, who protested of their cheapness, 2½d per pair, and he raised concerns that they would be 'likely to do more harm than good'. His complaint was met by Mr Hicks Beach, the chairman, who admitted it was important to ensure that young people's spectacles 'exactly suited their eyes, but that in the case of old people it did not much matter'. Mr Carter, one of the guardians, claimed he had a similar pair of glasses, albeit purchased for the princely sum of 6½d, and that they were 'the best spectacles he ever had'. Another guardian, Mr Steel, agreed, claiming – perhaps rather over enthusiastically – that 'as soon as he lost his own pair, he should go to the same house of supply for a pair exactly like those supplied the inmates'. Parker responded that he had heard that some of the inmates had complained about the glasses, but this was denied by Steel and by the workhouse master, who stated there had been no complaints whatsoever.⁷¹ The case caused some degree of outrage and the local press published numerous letters from ratepayers condemning the guardians for penny-pinching the poor.⁷² One letter asserted that the reported lack of pauper complaints meant nothing and questioned: 'Might it not be that the inmates are afraid to complain lest they give offence, or lest they get no spectacles at all?'⁷³ Allied with our other work suggesting that the 'mad' inmate or those with learning disabilities also continued to be targeted for particular punishment under the New Poor Law, these stories suggest how the deliberative, individual, and situational breakthrough of petty tyranny could generate expectations on the part of inmates and applicants.⁷⁴

CONCLUSION

Formal and informal punishment regimes – some long-standing and 'knowable', but many that were contingent, fleeting, or personal – embodied the scope for tyranny by process, person, inaction, and conflict. Workhouse staff under the New Poor Law might inflict punishments, including brutal and violent ones, well outside of the Central Authority's rules surrounding legitimate and legal chastisements. There is less evidence of physical punishment under the Old Poor Law (outside of the larger urban workhouses, which are numerically unrepresentative of the period), though under both regimes

71 *Gloucestershire Echo*, 29 August 1907, p. 4.

72 *Gloucestershire Echo*, 4 September 1907, p. 4.

73 *Gloucestershire Echo*, 6 September 1907, p. 3.

74 Carter *et al.*, 'Punishing paupers?'

it was easy to decant troublesome paupers into the formal legal system and its associated punishments. Similarly, the threat of enforced workhouse residence can be read simultaneously as punishment and petty tyranny, both before and after 1834.⁷⁵ The scope and nature of informal and symbolic punishments did change over time, or at least the evidence to talk about them changes. Under the New Poor Law, staff manipulated workhouse rules surrounding the allocation of work tasks to legitimize the infliction of further and new punishments. There is little evidence of this in the pre-1834 system.⁷⁶ Tyranny by neglect – for instance, failing to provide paupers mandated access to rules and regulations, creating an environment in which many paupers were unaware of what actions would be punishable – also seems to have a considerable traction after 1834. Under both systems, however, punishment was very clearly both selective and selectively recorded, something that can only be discerned by moving away from and being sceptical of ‘official’ sources. Even so, and as many of the examples elaborated in this chapter have begun to suggest, paupers were not always (or perhaps even often) powerless to confront and contest these tyrannies. Our next chapter thus asks how pauper inmates responded, and to what effect.

75 A reflection of the Malthusian observation that pauperism ‘involved subjection and the extinction of honourable feeling’. See Turner, *Malthus*, p. 161.

76 Though see Ottawa and Tomkins, ‘Taskmasters’, for Old Poor Law context.

The Responses of the Tyrannized Poor

On 20 December 1830 a ‘Special Commission’ began an eight-day sitting at Winchester to consider events leading to the destruction of the Hampshire workhouses of Selborne and Headley by a crowd variously estimated to be several hundred or ‘upwards of a thousand persons’. According to the Headley workhouse master James Shoesmith, ‘They came from Selborne way towards Headley. They all had sticks.’¹ The leaders of the crowd had subsequently been arrested at various locations, and the commission was to judge their fate. Evidence was provided by vicars and farmers pressed into the mob unwillingly but also by Shoesmith. He recounted that Matthew Triggs ‘came with his brother to the workhouse and asked for a pauper, named Tuckey, who was his uncle, and said he wished him to go down to his sister’s, as he thought there would be a row at the house that day.’ Whether Triggs wanted to protect his uncle (the crowd had already torn down the Selborne workhouse) or to liberate him for active participation in subsequent events is unclear. Shoesmith declined to release Tuckey. By late morning, ‘two or three persons came up and gave an alarm that the mob was coming up’. Knowing the leader, Shoesmith said ‘What Holdy, are you here?’, to which he got the reply ‘Yes, but I mean you no harm, nor your wife, nor your goods, so get them out as soon as you can, for the house must come down.’ The crowd (getting happily drunk on thirty gallons of the master’s wine) subsequently took down the workhouse slate by slate and brick by brick, protecting the goods and the family of the master and leaving the sick, old, and infirm accommodation untouched. Characterized as a ‘tumultuous outrage’ – a clear act of agency as we defined it in the preface – by the commission judge, the case is well known,

¹ All quotes are drawn from the evidence of the Headley workhouse master. See HRO, Book 328, Shelf 184, A Report of the Proceedings at the Special Commission Holden at Winchester, December 20, 1830, and 8 Following Days, p. 75 onwards.

having been subject to dramatic treatment² and academic research.³ In this context it is easy to regard the events as just one instance of the violence and confrontation surrounding the Swing Riots in the late 1820s and early 1830s.⁴

And perhaps it was. But set in a wider context – some of which emerged in earlier chapters – we can see the Headley episode as part of a longer and deeper tradition of direct action and agency by inmates and communities against the fabric of workhouses. Thus, while at a market on 14 April 1802 the farmer John Carrington of Bramfield (Hertfordshire) heard that the workhouse there was on fire and immediately packed up to return home. He ‘Met the engen and people from Hartford’ but the workhouse was ‘All burnt down in a few [h]ours’. Returning to the subject on the 15 April he noted that the place was insured for £150 and had been a thatched structure built some two decades earlier. Fires of this sort were, of course, common, and by 17 June a vestry was consulting on the rebuilding of the house. But there was a twist. Reflecting on the whole year of 1802, Carrington noted that the place ‘Was set on fire by the children for, as the chimney sweeper took the coles from the herth in a pan, and set them under the house [where] it was thatched while he swept the chimneys they blowed them up & set fire to the house’.⁵ The importance of children as disruptive elements of the workhouse – something we have encountered several times already in this volume – is amplified here. Also from an early-nineteenth-century vantage point, James Maggs of Southwold (Suffolk) remembered arson and demolition attacks on houses of industry at Bulcamp and Barsham in 1765.⁶ A large-scale riot at the Sapcote House of Industry (Leicestershire) in 1817 is another example.⁷ Such backdrops also provide nuance to the well-known riots, unrest, and confrontation that accompanied the imposition of the New Poor Law in and around 1834. Usually constructed as a singular response to a package of measures (including, for instance, the Anatomy Act of 1832, which allowed the appropriation of

2 John Owen Smith has crafted two plays on the Selborne and Headley riots. See <http://www.johnowensmith.co.uk/riot/>.

3 Among others, see Jones, ‘Finding’; Jones, ‘Swing’.

4 Griffin, *The Rural War*; Crowther, *The Workhouse*, p. 21, specifically elides workhouse destruction in Selborne and Swing.

5 S. Flood (ed.), *The Diary of John Carrington, Farmer of Bramfield, 1798–1810. Volume 1, 1798–1804* (Hitchin: Hertfordshire Record Society, 2015), pp. 116, 123, 142.

6 A. Bottomley (ed.), *The Southwold Diart of James Maggs 1818–1876* (Woodbridge: Suffolk Records Society, 1983), p. 43.

7 LROW, DE64/32/1-3, Letters regarding a riot at the Sapcote House of Industry, 1817. Also Shave, ‘The land agent’.

pauper bodies for medical education⁸) that were perceived as suppressing the poor, in fact these events were merely part of a continuum of direct action against workhouse fabrics.

Accepting this interpretation, it is easy (too easy) to assume that the poor, and particularly poor workhouse residents, turned to violence once a critical mass of tyranny was reached and/or because they had no other choices. In the rest of this chapter we take a counter view. Linking the Old and New Poor Laws for the very first time, we will show that paupers argued, petitioned, undermined, and even physically fought back (in actions short of riot) against rumoured and actual pretty tyranny. To pick up a theme from the book's preface, these paupers probably had agency – a sense that they could and should contest with those who held multilevel power within the wider regimes to which they were subject – but they very definitely practised resistance to the exercise of unequal power. We are interested in the detailed landscape of that resistance within the two systems, whether or not these activities were conceptualized and planned acts of agency and whether or not they formed part of a cumulative confrontation of the sort that the concept of agency would imagine.

RESPONDING TO TYRANNY: THE OLD POOR LAW

Direct confrontation of tyranny and of the officers and ratepayers that allowed it is more frequent before 1834 than we might have imagined, even if that confrontation was usually well short of formal riots. In 1893 the Londoner Robert Lee recorded rich ethnographic detail in preparation for writing a novel while in Cornwall for his health. He spoke to 'Reuben', who remembered a man at the tail end of the Old Poor Law being confined in the stocks having attended a vestry meeting where he was heard 'damning them all into heaps'.⁹ The immediacy of vestry minutes provides an even greater sense that the poor were willing to confront officers, as they did, for instance, in Fawley (Hampshire) on 4 July 1821 when the vestry resolved to take James Pierce before local magistrates (an action that was not in fact executed) for 'abusing Mrs Guarnsey the Mistress of the Poor House in a very scandalous manner'.¹⁰ In March 1828 the experiences of Caleb and Jane Minty and Betty Hutchans of Ringwood parish (Hampshire) led the vestry to issue instructions

8 Hurren, *Dying, passim*.

9 K. Phillips (ed.), *The Cornish Journal of Charles Lee* (Padstow: Tabb House Press, 1995), p. 88.

10 HRO, 25M60/PV1, Fawley Vestry Minutes, 1819–44.

that if anyone 'shall use any improper language to the Governor they shall be taken before a Magistrate'.¹¹ Almost without exception, vestry minutes record confrontations in person or print between paupers/their advocates and officials or vestrymen. Such confrontation speaks of different conceptions of rights and duties, different modes of negotiation in what was a discretionary Old Poor Law, and also resistance to individual or cumulative acts of tyranny by person, process, inaction, and neglect.

In some communities such confrontations were sustained. As early as July 1746, the vestry of Trowbridge (Wiltshire) were obliged to spend an unspecified amount on 'a guard for Eliz Rudman and Eliz Trimboy both disorderly' in the workhouse.¹² Thereafter, the overseers' accounts hint at some disruption every single year, ending in June 1831 when officials were still having to spend on '2 men for attending at the Church to Keep order when examining the poor, 2s.'¹³ There is no evidence of a collective notion of pauper agency, but this was nonetheless a persistent pattern of resistance. Such actions are the other end of the response spectrum to normative attempts to avoid the workhouse as far as possible or, once there, to leave as soon as could be managed. Equally, some paupers might both confront the parish and then take their response to higher authorities, as did Peter Pendlebury of Halliwell (Lancashire). '[W]hen he was acquainted with this resolution of the Committee' to deny relief and require the workhouse, Pendlebury 'said very well I know what to do. As he had before been for a Summons from Mr Dean, The Committee look upon his answer as a threat that he will again summon the Overseer.' These are threats of the sort already encountered in chapter 3.¹⁴

It is tempting to dwell at length on direct conflict and wider instances of riots and collective action. At the very least, such instances stand in distinction to Anne Crowther's sense that the pauper was 'not an active figure in the class struggle; instead he has given up the fight and accepted such crumbs as the enemy will offer'.¹⁵ Yet, James Taylor suggests that for each belligerent pauper, 'there were a hundred which spoke and acted humbly and hoped for a generous heart'.¹⁶ Steven King has further argued that direct conflict in the later stages of the Old Poor Law was relatively rare because it was not required; that is, all parties in the tripartite world of parochial welfare administration

11 HRO, 95M95/PV2, Ringwood Vestry Minute Book, 1810–50.

12 WRO, 206/62, Overseers' Accounts for Trowbridge, 1741–7.

13 WRO, 206/82, Overseers' Accounts for Trowbridge, 1827–34.

14 Bolton Archives and Local Studies Library, PHA/1/2, Halliwell Township Book, entry at 22 May 1790.

15 Crowther, *The Workhouse*, p. 2.

16 Taylor, *Poverty*, p. 47.

– paupers, advocates, and officials/ratepayers – understood that world as a space of negotiation, with clear limits to both the form and the intensity of protest and neglect by parochial officers.¹⁷ The perspectives of both Crowther and Taylor find support in our dataset, where small and repeated disruptions and responses to perceived tyranny are the norm. Some of these acts will be familiar from the accumulated stories of this book. For example, paupers might actively refuse to leave a workhouse or (more often) enter a persistent cycle of leaving and returning, causing disruption to the good order of the house and frustrating attempts to impose symbolic and physical punishments on the poor who resisted tyranny.¹⁸ We have already seen this process in action for Wighton (Norfolk), where officials recorded a litany of revolving-door moments. Accounts are not often that detailed but other records provide a sense that this was a wider issue for the Old Poor Law. At Hambledon (Hampshire), for instance, the vestry minutes of 25 April 1828 reported unspecified ‘disorderly conduct’ in the workhouse. Since the remedy was to refuse entry to those who absconded and then came back, it seems clear that causing trouble and then running away was a chief element of being ‘disorderly’.¹⁹

This sort of disruption – sitting somewhere between agency and resistance as we have defined the terms – was costly, and more widely there is no doubt at all that paupers seeking to assert their right to be heard and to resist tyrannical decisions understood the irritation value of increasing parochial costs. The thousands of paupers and advocates who wrote apologizing for increasing the time and monetary costs of their case provide one snapshot of this. The effectiveness of this strategy can sometimes be evidenced directly, as with Gwen Bassett. She wrote continually from Caernarvon workhouse (Caernarvonshire) to Henllan parish (Denbighshire) in the 1830s, and she eventually received a reprimand from the overseer there who believed ‘it is high time for you to think about Something else instead of Sending your Letters to Mr Roberts and without Paying the Postage’.²⁰ Other aspects of this approach can be seen when applicants and paupers (seeking both to avoid the workhouse and to get themselves out of tyrannical regimes once enmeshed) explained to officials how to avoid extra costs. Thus, William Bromley of Shrewsbury wrote to Thomas Carrick, vestry clerk and workhouse superintendent of Conover (both Shropshire), on 9 July 1817 having lost patience with inaction. He did not want to ‘put you out of the way in Rifling your temper’ but ‘i plainly see

17 King, *Writing the Lives*, *passim*.

18 For wider context, see Levene, ‘Children’, pp. 53–4.

19 HRO, 46M69/PV1, Hambledon Vestry Minutes, 1828–34.

20 Denbighshire Record Office, PD-38-1-180, Overseers’ correspondence, letter dated 14 December 1836.

that you will give me Nothing that is sufficient to keep my family away' and Carrick could thus expect him to come to 'the House' in the very near future, at a not inconsiderable extra cost.²¹ Charlotte Dummett of Twerton (Gloucestershire) actively sought to have her husband admitted to the 'Poorhouse' of Bradford on Avon (Wiltshire) given that she 'have no Peace with him day nor night ... there will be some mischief done by him'.²² Similarly, Thomas Earl argued about support with the overseers of Bradford on Avon across a series of letters, claiming in December 1832 that 'i Should be beter of in the house with two meals a day than i am now'.²³

On the other hand, paupers had to be careful not to push this theme too far. Owen Williams and his wife crossed a boundary in August 1836 when the Amlwch (Anglesey) vestry asked the overseer of Hulme (Lancashire) to 'see them out of your township' with the money to travel home because 'We know they are always troublesome and would rather for them to be here fighting their way amongst the rest' of the local workhouse inmates.²⁴ In an immediately prior letter the same overseer had observed of the couple that 'He is a quite reasonable old man but she never will be satisfied'.²⁵

One way to avoid this sort of experience but still to resist tyranny was for the poor to understand the legal or practical processes of parochial poor relief.²⁶ Hannah Gunton of Putney (Surrey), 'whose husband deserted her 27 years ago', was receiving outdoor relief up to May 1819 but tested the patience of the vestry with a further application on 17 May. After they had dealt with the application, the vestrymen resolved that 'in case further aid is solicited, an order [should be] delivered to her [Gunton] for Admission into the Workhouse'. The fact that she was to be sent a written order rather than simply being told in person is interesting, and the assumption would be that the vestry would have to prove that the order was delivered. In a beautiful act of defiance, therefore, Gunton 'refuses to receive' the instruction and thus could plausibly deny she has been ordered into the workhouse. She did end up there eventually but was so disruptive that by June 1819 Gunton was again at

21 S. King, T. Nutt, and A. Tomkins, *Narratives of the Poor in Eighteenth Century Britain* (London: Pickering and Chatto, 2006), p. 286.

22 B. Hurley (ed.), *Bradford on Avon Applications for Relief from Out of Town Strays* (Devizes: Wiltshire Family History Society, 2004), p. 14, Letter of 3 July 1834. For similar positive demands that relative be taken into workhouses, see Sokoll, 'Negotiating', pp. 35, 44.

23 Hurley, *Bradford on Avon*, p. 15.

24 MRO, M10/809, Overseers' Letter Book for Hulme, 31 August 1836.

25 MRO, M10/809, Overseers' Letter Book for Hulme, 17 June 1836.

26 King, 'Negotiating'.

large and applying to the vestry for further relief.²⁷ Putney continued to fall victim to pauper and advocate knowledge of due process. Edward Jackson, Ann Rawlins, Ann Terry, and someone merely called Sawyer attended an 1819 Putney vestry meeting 'in consequence of the order at the last meeting, to give reasons against the reduction of their pensions', and 'after consideration and enquiry into their respective situations and means of support' the decisions were rescinded.²⁸ This sort of collective resistance is important and links to practices later under the New Poor Law.

Institutional regimes and staff were also highly susceptible to paupers confronted with tyranny by process, neglect, and person spreading rumour and gossip – classic acts of resistance. The Ampthill (Bedfordshire) workhouse master claimed exactly this in December 1814, when Samuel Whitbread heard a complaint from Abraham Purrier that his children were both starved and infected with the itch.²⁹ Similarly, George More wrote a letter to the chair of the vestry at Hulme to accuse the workhouse master of peculation and abuse of office, suggesting that he had raided workhouse supplies in order to sell goods in the local market. Since everyone knew that the master did not have the keys to the storeroom (they sat with the porter), More had simply made up the accusation as a way of forcing his ejection from the workhouse.³⁰ Equally, however, paupers could also find themselves *subject* to the sorts of rumour that might begin or extend their workhouse stay, as widow Hugman found in September 1834 when the magistrate George Mills wrote to the Fawley vestry to say that the ninety-five year old was very ill, saying: 'I really think the best way will be to move her if you can to the Poor House at Fawley where she can be better looked after for the remainder of her days.' This sort of assertion is a common feature of the letters and vestry minutes used here, but Mills also appended a more urgent moral reasoning, asserting that by moving her out, 'Mr Munday' would be able to 'take possession of her tenement and Send out the gang of dissipated lodgers which fill it'.³¹ Rumour was thus a two-edged sword for the discontented pauper.

27 Wandsworth History Centre PP/1/2/1, Putney Vestry Rough Minutes, 1819–31, entries at 17 May 1819 and 7 June 1819.

28 *Ibid.*, entry at 21 June 1819.

29 A. Cirket (ed.), *Samuel Whitbread's Notebooks 1810–11, 1813–14* (Bedford: Bedfordshire Historical Record Society, 1971), p. 131. Ampthill was to have a long history of accusation and counter-accusation over lies and rumour: see James, 'Sophia Heathfield'.

30 MRO, M10/816, Letter, 17 June 1827.

31 HRO, 25M60/PO35, Three bundles of letters to the Overseers of Fawley: Bundle 3 (item 1596), 1 September 1834.

More frequent in our Old Poor Law data was resistance in the form of silences, grumbling, foot-dragging, and sullen compliance. It is here that the distinction between agency and resistance becomes sharpest. There is little evidence to match the spectacular picture of a grumbling and tetchy body of inmates at the Clerkenwell (Middlesex) workhouse during the early eighteenth century.³² Even so, letters provide some sense of the undertow of this sort of activity. Thus, John Edelston wrote from Warrington (Lancashire) workhouse to Lymm (Cheshire) on 27 October 1814 to say that ‘the Warburtons are not willing to come out of the workhouse unless you will allow them something reasonable towards their support’. Officials at Lymm had already offered an allowance to achieve this outcome but the Warburtons felt ‘The sum you have offered is too paltry to be of any use [and] This case ought to have immediate attention’. The Warrington official supported this view, suggesting that the parish ‘send them a bed pay their rent & allow the old man 2/6 per week this would keep them from starving ... and this would be less expense than you are at now’.³³ Luke Falkner Searles of Hull (Yorkshire, East Riding) grumbled about his treatment in a very public manner, writing to John West, a former employer, asking him in a barely legible letter if

you will be so good as to speke to the hover Seares hor to Mr Carrinton and if Mr Carrinton will Be so good as to Rit Mr Loft of March Chapel he will tell Mr Carrinton of my drisce I ham in at present pleas Sir to giv my duty to my Master and Mstres if they be in the Land of the Liven I treat Sir that in a Littel time that we shall Be wear Sour and pain will be a flicked us on moer for money hir the trobel of the Bities but the Lord doath deliver them out of them all.³⁴

Given the direction in the letter, Searles could be sure that his grumbling would circulate multiple times through the parish. Paupers who wrote poetry on workhouse walls, drew subversive pictures, broke branded crockery,³⁵ told their stories of suffering to visitors, refused to eat food or contested its quality, tore or soiled their clothes, were late for timed events, or refused to reveal

32 T. Hitchcock (ed.), *Richard Hutton's Complaints Book: The Notebook of the Steward of the Quaker Workhouse at Clerkenwell, 1711–1737* (London: London Record Society, 1987).

33 CHRO, P68/24/12-16, Letter.

34 LIRO, Horncastle Par. 13/32/1, Letter, 1 June 1803.

35 See the intriguing excavation of the St Pancras workhouse (Middlesex), which was opened in 1809 (<https://www.bbc.co.uk/news/uk-england-london-67425926>).

what they knew in the event of disruptive behaviour in the workhouse were all engaged in this strand of resistance.

Finally, workhouse inmates and those threatened with enforced residence engaged frequently in small symbolic (but ultimately disruptive) acts of resistance. Like Ann Nixson (who we encountered in chapter 4), Sarrey [Sarah] Tanner was resident in the Bear Lane workhouse (Blackfriars, London). She wrote 'Theas fu lines' in 1810:

to Infaurm you that I have seen the Man that I am to be Married tu & it is all agreed upon if you well be so good as to by me a ring & pay the Expences of the Wedden I wood wish for to be Married at your Parrish Church if you well agree to wat we say you may Putt the Banes up in your Church & lett me know when the Banes is aute we will come Doun & be Married with the 40 Shillings Clear of all Expences tu us the man naime is Edward Simson & Sarrey Tanner Sir if you don't agree to wat I have said I must Remain on your parrish still Pleas Sir be so good as to lett me know your mine as sune as posibell you can du it the suner the better.³⁶

Poor law support for marriages was much more common than one might think,³⁷ but in this instance it was used as a form of pauper tyranny to match that experienced when the parish confined Tanner in the first place. The prospect of her achieving settlement elsewhere upon marriage would have been a compelling one, and Tanner knew it. More widely, while plenty of paupers left the workhouse quietly or by absconding with property and clothes (causing irritation and expense to farmers, overseers, and masters), many others sought to achieve one final symbolic gain. This is well captured in a letter from John Darlington, the farmer of the 'Resderton' workhouse (Holmes Chapel, Cheshire), to the overseer, in which he said:

Mary Spencers mother is going to take her for live with her and her sons and Daughters will give her something a week to the keeping her for they think it a disgrace to them for think that she should be in a poorhouse Old Man Spencer will be with you very soon and then you must make your Bargin as well as you can with her I suppose she will be for begging the bed that belongs to you for her but I wil not part with it whilst town gains my house for it will be ready if you send anymore into my house pray take no Notice to them as I sent you word.³⁸

36 Sutton Local Studies Library, P56/7/54/16, Letter, 31 August 1810.

37 King, "Too poor to marry?"

38 CHRO, P82/22/2, Overseers' correspondence for Holmes Chapel.

Here, then, the gain was a workhouse bed, something that ‘Old Man Spencer’ eventually achieved, to the chagrin of the workhouse farmer.

For those who remained in the workhouse, breaking single panes of glass was a symbolic act. Ethel Hampson notes that the Littleport (Cambridgeshire) workhouse farming contract specified maintenance of the glass in the house, presumably as an acknowledgement that glass breaking might be common.³⁹ It was certainly common enough for the Wighton (Norfolk) workhouse to maintain a stock of glass for replacement purposes. John Weston’s letter of 1825 brings the practice to life. He rented a poorhouse to the parish and wrote to Tilehurst (Berkshire) complaining that Thomas Chandler ‘have stove the House & windows to Pieces In a Shamefull manner there is Not one quarter of Squares of Glass left in the front of the House’. This was a response to having recently been sent ‘back Into [the] House’ by the vestry.⁴⁰ Other sorts of symbolic act litter the Old Poor Law data, including weaving flaws into textiles during enforced work, feigning sickness, smoking, demanding that inmates be allowed to observe celebrations that were normal outside the workhouse, unpicking mattresses, the tormenting of lunatics and those with learning disabilities so that they caused trouble, resisting punishment, and undertaking activities (dancing, singing, playing instruments) for which paupers theoretically needed leave from officials or masters. These sorts of symbolic act, speaking strongly to the agendas established by James Scott, gather pace and strength under the New Poor Law, as we shall see. They were not, however, unique to workhouse paupers, and the catalogue of resistance that we trace here strongly emphasizes the interconnectedness of those on indoor relief with their prior residential, occupational, and social communities. Stories and practice permeated the walls of the workhouse in both directions.

RESPONDING TO TYRANNY: THE NEW POOR LAW

As we noted above, a core motif of the contemporary and historiographical literature on the early New Poor Law is the patchy adoption of collective violence. Nicolas Edsall set out the main chronology of the early anti-poor law movement some fifty-five years ago, giving voice to those who engaged in a type of defensive collective violence. These include people impacted by the early reordering of the poor law: those who rioted in Bapchild (Kent), attacking

³⁹ Hampson, *The Treatment*, p. 98.

⁴⁰ BRO, D/P 132/18/12, Letter, 17 January 1825. For a detailed anatomy of glass-breaking, see Shave, “For What I Say I Mean”.

the relieving officer and destroying his papers; others who rescued Chesham pauper inmates being removed from their local workhouse to another at Amersham (Buckinghamshire); eight inmates of the Cosford Union (Suffolk) who assaulted the workhouse master; and the crowd that pulled down the front wall and one of the wings of the St Clement's workhouse (Suffolk) and would have destroyed the rest if it were not for the intervention of soldiers stationed at Ipswich (Suffolk). Minor skirmishes were reported in 1836 in North Devon, with relieving officers attacked, relief in kind refused, and demands that relief in money be maintained.⁴¹

In the industrial north the New Poor Law and the fear of the 'New Bastilles' prompted riots in the Yorkshire and Lancashire towns of Bradford, Huddersfield, Oldham, Rochdale, and Todmorden. At Bradford, for example, in November 1837 there was an attack on the courthouse in which the Bradford guardians were meeting. In the afternoon the military sought to keep a large crowd and the guardians apart. Troops and special constables protected the building until, at midday, a group of protestors forced their way in, and this was followed by stones being thrown at the building and at the military who were guarding it. The riot act was read and the guardians somehow managed to leave the building, although John Reid Wagstaff, the clerk, was held there for some hours before being rescued by a troop of cavalry, after which the protestors headed to a local inn. This meeting was followed by another a couple of weeks later where Alfred Power, the assistant poor law commissioner, was assailed with mud, bricks, and umbrellas.⁴²

Workhouse-related riots continued into the new decade. In Stockport (Cheshire) the workhouse was attacked in 1842, a scene pictured in figure 8.1. The events in Stockport were prompted by local wage strikes and Chartist agitations in the wider region.⁴³ Magistrates swore in local constables and requested troops. Different parts of the crowd marched on local mills, and one of the groups made its way to the union workhouse. It broke into the building and took around 700 loaves and a small amount of money. Hearing that prisoners were taken by the authorities, a deputation was organized to seek their release while a separate rescue party was also formed. Ultimately, prisoners convicted for the assault on the workhouse were sentenced to terms ranging from transportation for life to a year's hard labour in prison.⁴⁴ In Wales, rioters stormed the workhouse at Carmarthen (Carmarthenshire) in 1843, taking the keys from the matron and smashing furniture and windows.

41 Edsall, *The Anti Poor Law*, pp. 28–36.

42 Englander, *Poverty*, p. 16. For Bradford, see Carter, 'The Battle'.

43 Gaston Hall, 'A United People?'

44 Reid and Reid, 'The 1842', pp. 64–5.

The riots only ended with the arrival of the military, who took sixty of the rioters under their control.⁴⁵



Figure 8.1. An attack on the Stockport workhouse, 1842.

These were not unimportant events, but over our period (and mimicking the situation under the Old Poor Law) they do not reflect the typical way in which the tyrannized poor responded. Workhouse inmates under the New Poor Law faced a matrix of power made from the various professionalized staff at national and local levels; the rules, regulations, and law of a centralized poor law system; and the physical divisions of the compartmentalized union workhouse – all of which speak to our tripartite definition of petty tyranny. Pauper inmates were subject to the immediate orders of workhouse staff and were liable to the punishments set down in the various missives of the Central Authority should they refuse, as we have already seen.⁴⁶ Yet the very existence

⁴⁵ Crowther, *The Workhouse*, p. 47; Burke, ‘Continuity or Change?’, pp. 131–2. More generally, see Jones, *Rebecca’s Country*, *passim*.

⁴⁶ This point is based in the generalized catch-all rule that no pauper should ‘disobey any of the legal orders of the master or matron, or other superintendent’; see *The First Annual Report of the Poor Law Commissioners for England and Wales* (London: HMSO, 1835), p. 99.

of balancing rules that placed responsibilities on staff let pauper inmates know that contesting the behaviours of workhouse officers was viable – even acceptable. Where those responsibilities were unfulfilled and this could be articulated with evidence, that contestation became plausible in terms of complaint and refusal to comply. Below we examine the evidence of how the tyrannized poor routinely resisted what they considered unfair and tyrannical behaviours. First, and in a complex matrix of agency and resistance, they reported their complaints to the Central Authority through personal letters and petitions as well as ‘speaking’ their complaints at local investigations held by guardians and at central investigations led by the inspectorate. Second, individual pauper inmates refused to obey the orders of workhouse officials. And third, we will examine (for the first time in the literature) the opportunity and reality of pauper inmates planning and combining to combat tyrannical behaviours and promote their interests through collective action including pauper strikes.

REPORTING TO THE CENTRAL AUTHORITY

Complaints to the Central Authority might take the form of straightforward and directly written letters or petitions or they might be contained within witness statements supplied to the inspectorate as part of an investigation.⁴⁷ In 1856 Ann Sharman, Sophia Heathfield (who we met in the previous chapter), Elizabeth Spiers, and Sarah Upton had their complaints taken under oath by Robert Weale, poor law inspector, as part of his inquiry into Elizabeth Dawson, the matron at the Ampthill workhouse (Bedfordshire), who it was alleged had served food of an inadequate quality to paupers. Sharman, Heathfield, and Spiers considered the gruel ‘sour’ or ‘very sour’, while Upton considered the gruel ‘not sour, but thinner than usual and it had husks in it’ – broad indicators of tyranny by neglect, inaction, person, and process.⁴⁸ We know that food was a focus for most workhouse inmates, and the missing of a meal for whatever reason was always felt as a body blow; this is something that finds resonance in Peter Gurney’s wider argument that workhouses were places deliberately focused on the contestation of food and hunger. Certainly, when Thomas Swindell Fletcher, medical officer at the Bromsgrove Union (Worcestershire), looked back from the 1860s to his earlier days in post, he reminisced about living for a week in 1837 on the

⁴⁷ Petitioning was an integral part of nineteenth-century class and radical culture. See Miller, *A Nation*; Groot, ‘Developing a standard’; and Price, ‘Time to write’.

⁴⁸ TNA: MH12/6, 34194/1856, Witness statements of Ann Sharman, Sophia Heathfield, Elizabeth Spiers, and Sarah Upton, all taken on 28 August 1856 by Robert Weale, Poor Law Inspector.

workhouse diet for able-bodied inmates. He stated: 'My cravings of hunger were more than I could possibly have imagined or can describe.'⁴⁹ Fletcher did not use the word tyranny to describe this limited provision of food, but he may as well have done.

A further frequent area of resistance was over what we might understand as the tyranny of forced labour – a theme we have visited fleetingly in earlier chapters. At the end of January 1863 some 144 male Bethnal Green (Middlesex) workhouse inmates, all aged sixty and above and suffering from various ailments, petitioned the PLB complaining of the 'severe' task of work they had recently become subject to and asking the PLB to force the union to rescind the new arrangements. The men alleged that they were previously employed at picking oakum but only 'required to do as much of such work as we reasonably could, but were not compelled to pick any specific quantity'. However – and in a clear case of tyranny by person – the workhouse master had recently changed that arrangement and installed targets that each person was to reach daily. These targets, the men considered, were 'quite beyond our power or ability to perform'. The men were also told that should they fail to meet their targets, their diet would be reduced and their 'Liberty' of leaving the workhouse on Sundays would be suspended. We saw similar derived punishments played out in chapter 7. The men had already petitioned the Bethnal Green guardians, referencing the new rules as a 'severe ... task [that] ought not to be visited with punishment for the non-performance of Tasks which we are utterly incapable of accomplishing'. They claimed that paupers above sixty years of age should not be compelled to undertake any precise amount of work as long as they did what might reasonably be expected of them. The men also provided evidence of other nearby unions in which targets were not insisted upon:

the practice in St. Pancras' Workhouse (always considered a very strict one) enjoins a certain portion of Oakum Picking upon the Able-bodied Men & Women – 'The Young Idle & Vicious' – But, with regard to the Aged & Infirm Inmates, they Pick Oakum for employment, or more as amusement, & do what they like, but are not required to do any certain amount.

49 TNA: MH12/6, 34194/1856, Witness statements of Ann Sharman, Sophia Heathfield, Elizabeth Spier, and Sarah Upton to the PLB, 28 August 1856. Fletcher's letter was enclosed with MH12/13913/175, 46293/1868, Letter from John Humphreys, Clerk to the Bromsgrove Union, to the PLB, 23 September 1868. See also Gurney, *Wanting and Having*, *passim*.

In the Western City Union ‘they only require the Aged & Infirm to Work “According to their Physical Condition” – Whilst in other Houses it appears that the Aged Inmates are not required to do any’.⁵⁰ In short, the demand for more work than could be done, the type of work, and the inconsistency of the rules across the local poor law system were all understood as tyranny. Writing about these issues was both a form of agency *and* (because publicity was irritating and costly for unions) resistance.

Such arguments might also be made indirectly. In February 1895 Thomas Clarke wrote to the LGB to complain of his treatment by Bala Union (Merionethshire) officials. Clarke had entered the Bala workhouse in early March 1894 and was set to work breaking stones. Clarke had asked for eye guards as protection but was told that the union had none. While undertaking the work the unfortunate man was struck in the eye with a chip. Following the accident Clarke was refused admittance to the hospital there and was forced to walk the almost eighteen miles to the Dolgellau Hospital (Merioneth) ‘in great pain’. From Dolgellau, Clarke was sent to the Shrewsbury Hospital (Shropshire), where he underwent an operation to remove the piece of stone. The following February Clarke was in the Crumpsall workhouse in Manchester (Lancashire) and it was from here that he wrote to the LGB enclosing his statement setting out the events at Bala and asking whether the provision of eye guards for workhouse inmates when put to stone breaking was compulsory or optional. He had asked this question of the Manchester officials, whom Clarke asserted ‘have eye protectors ... and are very casious [cautious] in using them’, but they were unsure of their legal status. Clarke’s intention was to seek compensation from the Bala guardians, but his story can and should be read as a direct confrontation before the Central Authority of tyranny by inaction (failing to provide eye guards, having run out of them), process (failing to ensure prompt medical care as was required by the rules of the Centre itself), and neglect (failing to learn from other unions such as Crumpsall).⁵¹ There were of course many other grounds for, and rhetorical and linguistic modes of, complaint, but the point for this chapter is that paupers in very different sorts of places and parts of the country felt that they could and should resist the matrices of power in which they were held. The situational nature of both petty tyranny and resistance to it is emphasized here.

50 TNA: MH12/6850, 3987/1862, Petition of 144 named aged and infirm male inmates, Bethnal Green workhouse, 31 January 1862. Underlining as in original.

51 TNA: MH12/16485, 17742/1895, Letter from Thomas Clarke, Crumpsall workhouse, Manchester, Lancashire, to the LGB, February 1895 (includes his separate statement).

REFUSING ORDERS FROM THE WORKHOUSE OFFICIALS

Other forms of resistance have clear resonance with the Old Poor Law, especially pauper inmates' refusal to obey the orders of workhouse staff prompted by some alleged unfair, underhand, or tyrannical behaviour. Such orders could be wide ranging: paupers were to undertake work tasks, occupy or vacate specific areas of the workhouse, undertake various errands for staff, fall silent when ordered, and more. What is striking from our New Poor Law data, however, is how often inmates refused or contested these orders and instructions.

In December 1849, for example, John Kelly, a City of London Union workhouse pauper inmate, was tried before the magistrate Mr Yardley at the Thames Police Court for being refractory. Mr Fairfield, the master, had put Kelly to work in 'a certain part of the establishment'. A short time later Fairfield was informed that Kelly had somehow got himself into a different part of the workhouse and was 'doing nothing'. When confronted, Kelly replied: 'I have done my work, and I got here by climbing the fence.' Fairfield disagreed, stating that he had not finished the work and that as this was his second offence he would be locked up in the 'black hole' (the workhouse lockup). Kelly then took off his neckcloth and opened his collar as if to make ready to fight him. When Fairfield called in some men to help him,

the prisoner began to kick and plunge so violently that they were obliged to procure more assistance. During the struggle he inflicted several kicks on the arms, legs, and breast of the master, and one on his belly, until his clothes were all covered with mud from the fellow's shoes. He was eventually secured, and given into custody.

In his defence Kelly stated that over the previous few days he had been set to work cleaning out a cellar and scrubbing tables. When he had finished his allotted tasks he found the door to the cellar locked. He at first thought it was accidental and walked around until he found a different way out. He similarly found himself locked in again the next morning, and once more he made his own way out, clearly understanding this as tyranny by person and process. He explained to Yardley that the opening of his collar had been prompted by the four men being ordered to take hold of him and was intended 'to avoid strangulation, and prevent his shirt from being torn'. Kelly had not refused to work, but once he realized he was locked in the cellar he refused to stay once his work was complete. He also refused orders to be taken to the black hole. In these cases Kelly found a confederate in Yardley, who challenged Fairfield's right to incarcerate Kelly within the workhouse estate. Yardley did this first

by questioning the master on whether the rules of the workhouse contained any regulation whereby paupers could be locked up to undertake their work. Second, he ruled that (notwithstanding any workhouse rule) locking up paupers as they were undertaking their allotted work would amount to 'false imprisonment', and he believed that 'the men can bring an action', providing a mechanism for future agency arising out of the original resistance. Third, in his summation he stated that while there was an appropriate method of punishment should a pauper refuse or neglect to work, there was no rule justifying the locking of the door to a space where a pauper was put to work and that 'no man in this country can be imprisoned except by law'. Indeed, turning to Kelly's physical resistance he concluded that 'when a man is improperly detained he has every right to regain his liberty'.⁵² It is not hard to imagine that these words echoed across the workhouse 'family' when Kelly returned to the workhouse or that they acted as a disincentive to further tyranny.

Resistance short of violence was also common. In 1850, for instance, William Walker, an inmate at the Bethnal Green workhouse, refused to continue working the workhouse pump after five hours of a ten-hour shift. Walker claimed that he had previously had to leave the army being 'afflicted with giddiness in the head'. Close reading of his letter indicates that the affliction was, in part at least, caused by his military service and had resulted in his military discharge and subsequent unemployment. Notwithstanding his medical condition, the workhouse master compelled Walker to work at the pump under the threat of being locked up in the cells and having his diet reduced to bread and water if he demurred. On one of the days he worked the pump he felt particularly ill and complained of being unable to continue. The master insisted he should continue, and 'when being irritated by his [the master's] unfeeling behaviour your petiti[tioner] imprudently refused to work more on that day'. Walker's tone and rhetoric are interesting, pointing clearly to acts of tyranny by both person and process but also to a sense that such practice was unreasonable. The fact that the master found himself unable to punish Walker even though there were workhouse rules that allowed such action speaks to some of the power of resistance that we also see under the Old Poor Law.⁵³

Small acts of disobedience are also a central motif of the data. William Sibborn was an inmate of the Colchester workhouse (Essex). He complained in September 1867 that he was kept a virtual prisoner, confined (on the order of the workhouse master) to his ward since arriving some three weeks earlier. The cause of friction between them seemed to be the matter of Sibborn being

⁵² *Morning Herald*, 19 December 1849, p. 7.

⁵³ TNA: MH12/6845, 17745/1850, Letter from William Walker, Bethnal Green workhouse, to the PLB, 21 April 1850.

accused of illegally cutting some flowers from the grounds at a time when he was *not* an inmate, which testifies once again to the interconnectedness of the workhouse with its locality. Sibborn decided to test the order of enforced internment by taking a walk in the grounds, at which point the porter confronted him, 'Saying I must Come in the board left word I Should not Set a foot [in the grounds] but I refused'. The workhouse master then arrived, verbally abused Sibborn, and said he was not to enter the workhouse grounds. Sibborn refused to comply and stated that the rules of the house 'allow all the aged men and women to go out 4 owers a Day 2 owers Morning 2 Do in the afternoon' and that he had been deprived of this right since he had entered the workhouse. Sibborn was put in front of the Board of Guardians where, taking the initiative, he asked why he had been kept a prisoner. He received no answer beyond a claim that the master was right in what he had done: a clear case of tyranny by person and in contradistinction to the written and known rules governing the workhouse. Making an assumed connection with the allegation that he had cut (and presumably stolen) flowers in the past, Sibborn believed that if the Board of Guardians thought they had a case against him, they should have taken him before a magistrate and proved it and not punished him as they had by keeping him in the ward. Focusing on the fairness of the case he stated: 'I Do Consider this Case of Tyroney and oppression I am in My 66 years of age and the law of the Land hold every one inocent till he is found guilty.' His outright refusal to remain indoors was justified in Sibborn's rhetoric, spelled out in the closing paragraph of his letter:

I ask your honours what I Can tell or Consider this but Real tirony and prosecution without any proof a man mite as well be in hell at one to be tironised over by a petty union Master it is enough to Drive anyone of these [---] all I ask is justice in a free Country is the Sole Disire.⁵⁴

In other words, a framework of known and knowable laws did and should give protection against the petty tyranny of workhouse officers and their employers. More than that, they were often universalizing rules, affording protections not merely to the workhouse poor but also to the wider working-class population.

Nor were paupers unaware (rather like their Old Poor Law counterparts) of the mechanisms for enforcing those rules. John Porter endured much alleged petty tyranny at the hands of the Rye (East Sussex) workhouse master in late 1868. Porter came into the workhouse overnight, was put into the receiving ward, and was later given three pounds of oakum to pick. Around 3.30 pm

⁵⁴ TNA: MH12/3439, 34981/1867, Letter from William Sibborn, Colchester workhouse, to the PLB, 8 September 1867.

the master entered the ward and, seeing Porter's oakum unpicked, instructed Porter to put on his boots and follow him into the yard. Complaining he did not walk fast enough, the master 'took me by the throat and "threwed" me into the Infectious Ward'. Porter was locked in the infectious ward on a bread and water diet and given another three pounds of oakum to pick. Porter again refused to pick any oakum, however, unless he was removed to the main body of the workhouse. He never complained to the visiting committee nor to the Board of Guardians. It appears, though, that he did speak with J. J. Henley, the poor law inspector who visited the Rye workhouse in December 1868 and reported his case, as the broader Central Authority rules allowed.⁵⁵

PAUPER COMBINATIONS AND STRIKERS

Although it was common for individual inmates to refuse to act on the orders of an individual official, these instances could often be quickly resolved through the workhouse punishment processes. More problematic to manage was resistance in the form of collective refusals. Thus, in early autumn 1844 Charles King, the master of the Wandsworth and Clapham Union workhouse (Surrey), met with Mr Paynter, a local magistrate. King wanted to raise with Paynter the particular issue he had identified of casual paupers 'refusing to work in the morning, or even to leave the house without being first furnished with their breakfast'. Moreover, King noted that numerous vagrant paupers, from various parts of England, made the same demands and even used 'the same set of terms of speech' to refuse these work tasks and to demand food. King considered that such commonality of action and rhetoric would be unthinkable 'unless a conspiracy existed'. King stated that most of the casual paupers at the Wandsworth and Clapham workhouse had recently, in a determined but calm manner, refused the work set for them in the mornings. He considered that as this was happening across other unions, collectively, this had given rise to huge expense in terms of having these paupers taken to prison. It was asserted that the gaoler had recently taken up a young male casual pauper from elsewhere for tearing up his clothes and refusing work. This young man had admitted that he was part of a gang, referred to as Spiven's gang, who determined among them not to undertake any work set by workhouse staff.

55 TNA: MH12/13089, 1874/1869, Witness statement of John Porter, Rye workhouse inmate, January 1869 – attached to Workhouse Report Form, J. J. Henley, Poor Law Inspector, to the PLB, 8 January 1869. Henley notes that the master has acted contrary to the PLB orders (1) by confining Porter for more than 12 hours; (2) by altering his diet when so confined; and (3) by using the infectious ward as a place of punishment. He also added that the master showed a want of discretion by laying his hands on Porter. See also Rudling, 'Workhouse Inspectors', pp. 286–315.

King had four casuals, 'strong and healthy men', who had refused work set in the morning. These men – Thomas Hoy, John Colleau, John Brown, and William Leech – were tried. It was conceded at their trial that 'They used no bad language, but seemed calmly determined on not obeying the law'. In sentencing the four men, Paynter referenced the fact that he had eighteen prisoners in front of him in that one week all charged with refusing to work and that the refusal was given in a similar calm and composed manner each time. This made him suspect 'that some concert or combination between casuals exists'. The four were committed to three weeks in prison and Leech, one of the men, confirmed King's initial suspicion: he 'had guessed right; there was a combination. ... They did not care about going to prison; the parishes would soon get tired of sending them there, as the expense would be enormous, and then they should get the hated Poor-law altered.'⁵⁶ In short, the men used 'process' to confront a system that they understood as itself (and speaking to the third element of our tripartite definition) tyranny by process.

The rhetoric of New Poor Law paupers acting as if part of 'pauper combinations' – especially towards the end of the nineteenth century and the beginning of the twentieth – finds significant traction in our corpus, although it is only lightly touched upon in the secondary literature. In 1866 it was reported at the Ulverston workhouse (Lancashire) that the undertaker who was contracted to manage the funerals at the workhouse regularly hired eight elderly inmates as bearers at 1½d per man per funeral (a total of 12d per funeral). However, on one occasion the friends of a male inmate who died at the workhouse provided their own bearers, denying the men their customary shilling. The men protested, apparently having viewed the role of bearer as some type of 'closed shop' agreement. Thus, on the occasion of the next funeral the inmates refused their bearers' duties unless paid at the rate of 3d per man per funeral (a total of 2s per funeral). The undertaker asked the workhouse master to intervene on his behalf, but the master, not wanting to be drawn into the 'industrial dispute', stood back, leaving the undertaker to 'hunt up other assistance to carry out his contract with the Guardians'.⁵⁷ The case at Ulverston does not place friction between the pauper inmates and union authorities centre stage; rather, their refusal to work impacted on the smooth running of the routine workhouse funeral arrangements. A more direct episode was reported in late 1879 at a strike of female paupers in the Merthyr Tydfil workhouse (Glamorganshire). Women inmates engaged in washing had traditionally received an additional allowance of bread and cheese 'on account, we presume, of the

⁵⁶ *Kentish Independent*, 28 September 1844, p. 3.

⁵⁷ *Soulby's Ulverston Advertiser and General Intelligencer*, 13 December 1866, p. 5.

additional hard work'. However, the allowance was then stopped – a form of tyranny by process – at which point 'some of the women in the house positively refused to do the washing unless the extra bread and cheese was put on again'. The master refused the women's demands and they were called in before the guardians, at which point the union chairman gave the women 'a sharp talking to'.⁵⁸ There is no question that this modest response to small but stubborn acts of resistance would have passed into community knowledge and memory.

In early 1907 fourteen casual pauper inmates struck at the Aston workhouse (Warwickshire) and refused their morning work tasks, complaining that their cells were so cold they were shivering all night.⁵⁹ A strike of male paupers later in the same year at the Wellingborough workhouse (Northamptonshire) was reportedly caused by inmates' general dissatisfaction with the quality of their breakfast oatmeal gruel. They refused to undertake their allotted work tasks, and when the ringleaders were then taken before the magistrates they were sentenced to three to six weeks imprisonment each, continuing the intimate connection between prison and workhouse that we have seen from the very start of this volume.⁶⁰ The following year it was reported that thirty paupers at the Reigate workhouse (Surrey) went on strike, and for two hours they occupied the dining hall, openly defying the workhouse master and his staff.⁶¹ Just a few months later a strike of paupers was reported at the Billericay workhouse (Essex). They struck against the new dietary scale, which led some men to throw their food out of the window while at the same time refusing to work.⁶² Just as under the Old Poor Law, we can understand arbitrary changes to accepted rules and dietaries as tyranny by process, and the reaction here suggests that post-1834 workhouse paupers were keenly aware of the best direct resistance to use in such cases.

At the Atcham and Shrewsbury workhouse (Shropshire⁶³) in 1912, seven able-bodied inmates were charged with refusing to break stones. They were described as stalwart men, aged from twenty-six to forty-seven years, and the

58 *The Merthyr Telegraph and General Advertiser for the Iron Districts of South Wales*, 5 December 1879, p. 2.

59 *Sheffield Evening Telegraph*, 26 January 1907, p. 2.

60 *Illustrated Police News*, 27 April 1907, p. 7.

61 *Hartlepool Northern Daily Mail*, 25 February 1908, p. 1.

62 *Manchester Courier*, 3 April 1908, p. 20.

63 In 1871 the Shrewsbury Incorporation parishes were absorbed into the Atcham Poor Law Union. The earlier history of the Shrewsbury poor law is expertly covered in Tomkins, *The Experience*.

case was styled as a 'bad case of insubordination', it being a determined act by the prisoners 'to set the officials at defiance'. It appeared to be a thought-out plan of action, with reported mutterings by those who acted as ringleaders to 'Stick together lads'. When they were informed that they were to go to the stone-breaking sheds the men immediately refused, alleging that the weather was too cold.⁶⁴ In a later report it was claimed that

this fraternity [inmates], the other day put their heads together, and as a result they struck work. Not that they were unwilling to perform such services as would recoup to some extent the Guardians for the cost of their maintenance, but they had decided that it must be work of such a character as would meet with their entire approval. It is not conceived that stone breaking appeals in the slightest degree to these gentlemen at any time – which is presumably one of the chief reasons why it is selected by the powers that be.

While resistance in this case was constructed as 'bad', the men concerned were clearly aware of the gradations of risk associated with different forms of defiance. Like others they calibrated such actions to the degree and intensity of tyrannical practice.

In turn, a last report on the Atcham and Shrewsbury paupers compared the recent actions of the Suffragettes 'to refuse to obey the lawful behests of their lords and masters unless rewarded with the franchise' with paupers' refusal to work as 'open rebellion'.⁶⁵ Such hyperbole might be expected in the Luddite, Swing, or Chartist periods. Its reference here was charged by the high number of strikes and strikers involved across the British workforce c.1910–14, leading to fears of mass strikes in the industrial sphere that bled into those of the New Poor Law 'striking paupers'.⁶⁶ Notwithstanding the fact that pauper strikes were not instances of 'open rebellion', they were, particularly from the late nineteenth century onwards, something of open challenges to the authority of individual unions, and they disrupted the rhetorical notion of the well-regulated workhouse. The fact that the Liberal welfare reforms in the period after 1906 failed to stop either the practices of workhouse tyranny or the prospect and fact of collective resistance is an important indicator of the continuing power and symbolism of the workhouse in the lives of working-class communities.

⁶⁴ *Yorkshire Evening Post*, 30 January 1912, p. 3.

⁶⁵ *Wellington Journal*, 3 February 1912, p. 8. On resistance by obstruction and refusal in the suffrage movement, see Nym Marshall, *The Militant*, pp. 43–64.

⁶⁶ Ryan, 'Citizen Strike Breakers'.

CONCLUSION

Direct and violent confrontation of petty tyranny – either focused on highly local disputes or as part of a wider resistance to the workhouse – was a feature of both the Old and New Poor Laws. But it was not normative. Rather, petty and routine tyranny were resisted using a palette of behavioural and attitudinal measures that were, or became, part of a deep seam of community knowledge – one that to some extent transferred between the Old Poor Law and the New. Paupers (often helped by advocates) devised moral and legal arguments; they refused to recognize the authority that workhouse staff assumed through the rules and regulations of institutions; and they spread rumour, grumbled, went slowly, or otherwise disrupted the day-to-day functioning of the workhouse. Particularly under the later New Poor Law, inmates sought collective redress through various types of combinations to protect both their immediate and longer-term interests in the face of alleged tyranny. But these were not random acts. Rather, the different forms of resistance reflect a process by which action and consequence were tensioned. Riots were always a possibility. Violent confrontation too. But the fact that we see so little of this sort of activity speaks to a capacity for individual inmates and other groups to both ‘grade’ the scale of tyranny that they faced and to elaborate the sanctions they were likely to face when they confronted such tyranny. In turn, much of this resistance happened in the semi-public and public spheres thus becoming known to the wider public. It is to the public’s perception and opinion of workhouse tyranny that we now turn.

Public Opinion

On 28 May 1787 the vestry of Chorley (Lancashire) seemingly saw little problem in imposing symbolic tyranny on the poor of the town, commissioning the building of a dungeon ‘to be built upon the waste land near the alms houses allotted for the town’s use’.¹ The juxtaposition of the two buildings was both deliberate and, we might assume, calculated to have a disciplinary effect.² Forty years later James Hulbert, considering (in a wholly negative light) the farming of the institutionalized sick poor by parishes, concluded:

The indifference betrayed by many, whenever any subject connected with the improvement of the condition of the poor is brought forward; and the apathy with which they behold the laudable endeavours of such as labour to ameliorate the suffering, or lessen the privations of their unfortunate neighbours or dependents is to be lamented.³

Warming to his task, Hulbert extended the argument, claiming that parochial officials and ratepayers viewed every scheme for reform ‘with jealousy and distrust, regarding the plans of the well-intentioned as visionary schemes; especially if there appears a probability of incurring a temporary expenditure from the parish fund’.⁴

1 Chorley Public Library, Chorley Vestry Minutes, 1781–1823.

2 Other places also engaged in this juxtaposition. Kettering (Northamptonshire) vestry resolved on 2 February 1814 to build a ‘guard room’ in the ‘most eligible’ spot of the workhouse, having crossed out the word prison in the minutes. S. Peyton (ed.), *Kettering Vestry Minutes A.D. 1797–1853* (Kettering: Northamptonshire Record Society, 1933), p. 31.

3 J. Hulbert, *Farming the Sick Poor* (Shrewsbury: C. Hulbert, 1827), p. 4.

4 *Ibid.*, p. 6.

Such acts and views (as we saw in the preface) tap into a strand of both contemporary thought and academic debate that has seen a significant and increasing distance between the plight of the poor and the sentiments of the ratepayers under the late Old Poor Law. Crudely, there is evidence that a significant tranche of the 'public' of public opinion were accepting of a degree of control, containment, and dissuasion of the dependent poor; that is, they consented to the greater use of petty tyranny being wielded against the poor than had been before.⁵ This is consistent with some of the public language and metaphor used to characterize poor people in general, particularly that which focuses on concepts of swarming, flooding, and contagion.⁶ On the other hand, and as Peter Jones and Steven King have argued, it is possible to trace a developing public scepticism about the concept and practice of deterrent workhouses from their first widespread enablement in 1723, gathering pace and coming to fruition in the 1850s and 1860s.⁷ More than this, recent research on points and episodes of scandal have shown that particular stories could gain widespread notoriety.⁸ Even for cases that did not reach this pitch, the frequency with which aggrieved paupers and advocates threatened to write to newspapers suggests that they inscribed such outlets with powers to confront and control the breakthrough of petty tyranny in the system as a whole.

In this chapter we attempt to reconcile these dichotomous views, with a focus on how the various narratives of tyranny in workhouses under the Old and New Poor Laws developed in the confined public arenas of the parish and union, and the wider regional and national publics embodied in newspapers, journals, novels, and meetings/lectures. We will trace an increasingly powerful court of public opinion that shaped how and where the potential for tyranny was realized or confronted.⁹ Following our core agenda, the chapter will be less interested in well-known scandals and the role of national newspapers or prominent reformers and advocates, and more rooted in the smaller everyday confrontations between parochial and union administration and a local and regional public. For the first time we will trace how that 'public' influenced

5 For an early discussion of these points, see Coats, 'Economic thought', and Coats, 'The relief'.

6 Vartiainen *et al.*, 'Linguistic representations', pp. 144–5.

7 Jones and King, *Pauper Voices*, *passim*. See also Slack, *The English*, p. 44.

8 See, for instance, Shave, 'Who cares?'.

9 We make a distinction between socially, culturally, and spatially constructed 'public spheres', narratives of which focus largely on who is excluded, and the more amorphous 'public opinion', the conceptual infrastructure of which starts from inclusion and opportunity. For an important rendering of the public sphere debate, see Lake and Pincus, 'Rethinking'.

official attitudes towards the practices and concepts of tyranny within the welfare process across two very different poor law systems.

THE PUBLIC OF THE OLD POOR LAW

The sense of a broadly based 'public' being constructed and constructing itself in our period through pamphlet publishing,¹⁰ public meetings, magazine articles, petitions, social surveys and investigative work,¹¹ and participation is well established.¹² Even so, the concept of 'the public' is a slippery one, and the mechanisms for, and expectations involved in, drawing on the resources of 'the public' are multiple. As Clare Brant reminds us, to use the 'tribunal of the public' one first had to find it.¹³ Publics are embodied in newspapers, books, and pamphlets, and we know that the poor both read and contributed to this material, but for our purposes the thing that matters is less what was printed than what was read. This question takes us into complex matters of seen and unseen readers and thus of tractable and unseen 'publics'.¹⁴ These groups were also reached through letters (like many of the pauper and advocate texts used here) where the writer expected them to be circulated. Such letters reflect, are a product of, and sought to challenge 'structural ambiguities in relations between individual and institutional power'.¹⁵ The public is also of course implicit in letters written by paupers to magistrates or politicians, and in the micro-gossip that structured neighbourhood and parish life. In this conceptual space the publics for and of the poor were simultaneously structured and unstructured; gendered and not; spatially confined and expansive; fleeting and deeply rooted; authoritative and weak; and open and closed. In turn, appealing to these publics involved varying constellations of performance, demonstration, restoration, and expansiveness. For our purposes the latter is notably important, requiring us to consider material that moves beyond the wider airing of individual grievance and to the potential for systemic or systematic tyranny captured in our tripartite definition of the term. In this sense we identify four sorts of 'public' that have a persistent presence for the poor across the normative organizational boundaries of the poor laws and that

10 Innes, 'The state', p. 246.

11 Hilliard, 'Popular reading'.

12 Tilly, 'The rise'; Richardson, 'Conversations with parliament', pp. 39, 46. For a sense of how this 'movement' grew out of earlier rhetoric and practice, see Loft, 'Involving the public'.

13 Brant, "'The tribunal'", p. 17.

14 Colclough, *Consuming Texts*, pp. 146–76.

15 Brant, "'The tribunal'", p. 18.

individually and collectively shaped how, when, or where the potential for tyranny was realized or controlled.

The first is the *court of public opinion*. This is not inherently definable or linked to particular places, spaces, or groups, but was understood by paupers as somehow ‘there’ and graspable. We see it in the linguistic, conceptual, and rhetorical infrastructure shared by advocates, poor writers/inmates, and pamphleteers, such as Christopher Brereton, all of whom worried about the indiscriminate mixing of the poor with criminal and morally bankrupt people in workhouse spaces.¹⁶ Equally, poor inmates were able to create a more expansive ‘world’ in which knowledge of their position and treatment would (they assumed) be tested, found wanting, and confronted. Such, for instance, was Margery Evans of Flint (Flintshire), who in May 1781 told the ‘Minister Parish Officers and others the parishioners of Northop Parish’ that the ‘distress I labour under’ was caused by their recalcitrance and insistence she enter the workhouse. This was a scandal visited on a poor old widow, and the fact of it ‘being Vissible to all the World’ would have consequences.¹⁷ The letter from Evans outlined a personal grievance but also tyranny by process that was clearly visible to a ‘world’ that she assumed would be paying attention.

Sometimes the poor and their advocates under both the Old and New Poor Laws sought to crystallize the court of public opinion, turning to newspapers with accusations of petty tyranny as a way of avoiding enforced workhouse residence in the first place¹⁸ or contesting conditions once there. This approach is emblemized in the letter of Thomas Vickers, who complained bitterly in 1818 about his treatment in the Hulme (Lancashire) workhouse – experiencing ‘practices that oppress the poor man and bring shame to your parish’ – and threatened that his case would find a ‘willing audience in that esteemed publication the M[anchester] G[uardian] where I now shall send my letter’. Vickers extended his argument from an individual concern to a systemic failing that would result in public shame for the ratepayers collectively once it was publicized in the newspapers.¹⁹ This mode of understanding and reaching for the public gained considerable force, as we shall see, under the New Poor Law. Even before this, extended intellectual argument about the relative rights of property holders, those who had benefited from the enclosure of the commons, and the poor and marginal proletariat had established a

16 C. Brereton, *An Inquiry into the Workhouse System and the Law of Maintenance in Agricultural Districts* (Norwich: J. Hatchard and Sons, 1829), p. 51.

17 Denbighshire Record Office, P45-1-198, Letter, 6 May 1781.

18 S. King, T. Nutt, and A. Tomkins, *Narratives of the Poor in Eighteenth Century Britain* (London: Pickering and Chatto, 2006), pp. 266–7.

19 MRO, M10/815, Letter, 17 November 1818.

seedbed of receptivity for (even if not sympathy towards) the public arguments of the poor and their advocates.²⁰

A second reference point was the *community public*, conceptually and practically rooted in the places that administered poor relief, and particularly interested in the sustained tyrannies that comprise the second strand of our tripartite definition of the term. Paul Slack, writing about the 1780s, noted that 'parish business ... was a matter for face-to-face management by overseers among their neighbours', including the poor.²¹ We see this in so many small ways throughout our data: stones thrown at officers, public meetings at which officers had to report changes to policy, queues at the workhouse door to get in or out, arguments at the workhouse gate over whether relatives were allowed to see inmates, and lines of pauper inmates going to church on a Sunday. More widely, workhouse inmates had normally been independent residents in the past, and they aspired to become so again; they were deeply enmeshed in the places and networks of a rapidly developing and complex eighteenth- and nineteenth-century built environment.²²

It is thus unsurprising that, as Deborah Valenze points out, some contemporary thinkers explicitly constructed 'the public as a small community writ large'.²³ The consequences when this community public reached a tipping point can be found in attempts to take down or burn down workhouses, but there were many other less intense inflection points. Thus, John Wright noted an 1828 encounter in which the Eastbourne (Sussex) vestry clerk, William Mockford, was admonished 'at a public meeting' and was required to apply 'himself more diligently to the affairs of the parish'. He had failed to pay allowances on time, to respond to complaints, or even to keep basic records – a suite of tyrannies now confronted in a very public forum where power was found to be constrained.²⁴ In similar fashion, on 23 December 1830 the Rothwell (Northamptonshire) vestry received the report of a subcommittee that had been investigating the conduct of John Tomlin, assistant overseer and superintendent of the workhouse. The report said that the committee members 'consider him to be harsh and oppressive to the labourers and that the opinion of 66 out of seventy ratepayers on whom they called consider

20 Horne, *Property Rights*.

21 Slack, *The English*, p. 29. See also Daunton, 'Introduction', p. 23, who reminds us that 'relief was not directed to a separate underclass'.

22 For important discussions of the interconnected nature of the public spaces available to the average resident coming into our period, see Keene, 'Growth, modernization'.

23 Valenze, *The Social Life*, p. 125. John Marriott makes a similar point for a slightly earlier period: 'The spatiality'.

24 J. Wright, *Bygone Eastbourne* (London: Spottiswoode & Co. Ltd, 1902), pp. 136–7.

it will tend to the peace of the parish if he were dismissed'. This conclusion speaks to a very strong community public in a rural backwater, but having heard from Tomlin and considered the evidence in the round, the full vestry did not 'consider the case against him full proved'. Indeed, they thought 'it would be very imprudent to give way to popular clamour and incendiary threats except in a case of manifest and substantial injustice, though they will gladly reconsider the case and the propriety of his reappointment in a period of less excitement'.²⁵ Nonetheless, Tomlin departed his post within a year, and further realization of the potential for tyranny was curtailed.

That the poor were keenly attuned to and understood the power of a community public can be seen in letters where writers talked about their friends and family, called on vicars and other advocates to intervene in their cases, or asked officers to put themselves in the shoes of the author. Thus, when an unknown correspondent to Holywell parish (Flintshire) begged to inform Mr Robert, 'you one of the Parishioners at large', about their case, the rhetorical hook 'at large' clearly signalled an awareness of the community public.²⁶ In this sense we should not fail to notice that the Old Poor Law in particular created local bodies of former officials with institutional and communal memory.²⁷ The institutional poor knew this, appealing consistently to former overseers and select vestry members to try and avoid enforced workhouse residence or seeking them out to complain once they were 'inside'. Equally, inmates and those threatened with the workhouse usually could not fail to be aware of dissent with the community of public opinion (as we began to see in chapter 5) over whether to build, continue, or extend workhouses. In part this reflected ever-present concerns over cost but also wider oppositions to workhouses and their regimes. We see this in Sheffield (Yorkshire West Riding)²⁸ and Birmingham (Warwickshire),²⁹ and even more in smaller places such as Ashford (Kent), where a disgruntled select vestry member annotated the minutes to indicate that he was deeply unhappy at the tyrannical treatment of the poor under new rules introduced to control all aspects of the lives of workhouse inmates.³⁰

In many ways, the poor – under the Old Poor Law at least – were most attuned to a third sort of public: the *Christian public*. Almost every pauper and

25 NRO, 284p/190, Rothwell Vestry Minute Book, 1828–33.

26 Flintshire Record Office, P/30/1/235/17, Letter.

27 Innes, 'The state', p. 276. Some might also themselves have relatives in receipt of relief. See Keith-Lucas, *Parish Affairs*, p. 105.

28 Drinkall, *Sheffield*, pp. 18–21.

29 Upton, *The Birmingham*, p. 33.

30 Keith-Lucas, *Parish Affairs*, p. 114.

advocate letter-set dealing with workhouse inmates contains texts that sought to identify, appeal to, and draw upon this form of 'public'. Gwen Bassett, who we first encountered in chapter 8, wrote (in Welsh) to the overseers of Henllan (Denbighshire) on 7 August 1835 to say that she had

received your letter successfully, thinking that mercy to the poor would arise from it but instead of that tiredness and oppression of the spirit you mentioned in your lines that the children must be moved to Henllan like sheep without a shepherd to be put in another place [the workhouse] unless (but how on earth can) you imagine that children from seven years old to thirteen would be able to look after themselves in such a place, but you know that Henllan parish must care for the deprived and this through English law and if you do not provide that which is reasonable in time before the poor begin to starve, for want of the sustenance that they have been in need of for months, that the world will know that the Parishioners of Henllan have no concern for the blood of these poor creatures, but it is likely that no-one is poor, or underprivileged, or widowed, or pious in Henllan, since so much hard-heartedness has filled the land. Consider this before the day of judgement comes and you have enslaved and so much oppressed these small children as no one else could have done. Prostitution and drunkenness would have over-run your parish so that I daresay these would get more from you than the children of an old soldier who suffered greatly in the service of his King to have more use to the king of heaven to remember you and me and to a heart of meat instead of stone.³¹

Here, then, officials were taken to task for their tyrannical attempts to place children in the workhouse against the will of parents, but the whole argument was wrapped up in a wider sense of a breach of biblical and Christian duty. Officials also used this infrastructure of Christian decency. We see this, for instance, in the case of Thomas Ollier, the master of the Newton workhouse (Cheshire), who lamented that Sarah Portress had been abandoned by the parish of Little Budworth, which had failed in its basic Christian duty to provide clothing to hide nakedness. He threatened: 'if you don't send Cloathes back by the bearer you will have no occasion to send them at all as I shall buy them her as she is quite naked'.³² John Teed, Constable of Wisbech (Cambridgeshire), was also very direct in a letter of May 1827. Noting that he had distrained the household possessions of the pauper Jacob Curchin, whose family shuttled between rentals and the workhouse over a period of more than two decades,

31 Denbighshire Record Office, PD/38/1/179, Letter. With thanks to Steven Taylor for translation.

32 CHRO, P36/22/63, Letter.

Teed told the ratepayers of Thrapston that the goods would be 'sold by Publick Auction'. The use of the word 'Publick' here was very deliberate (other writers on the same subject simply noted that goods would be sold), signifying both the communal shame of Curchin and a public shaming of his parish. Teed developed the narrative, suggesting that it would be an act of Christian benevolence for the parish to act given the 'indifferent circumstance of life' that the Curchins faced, and that if the parish refused he would be 'placed in very indifferent circumstances', having to act when as a Christian man he should not.³³ While, as we shall see, this narrative of a public Christian humanism declines after 1834, it never completely disappears in our period.

Finally, both the indoor and outdoor poor understood the existence of an *activist public* (and might episodically be part of it themselves). This was a group that was particularly concerned with tyranny by process, person, and inaction. It was no accident that the vestry of Amport (Hampshire) agreed on 6 January 1830 that 'the Vestry be inclosed & an outward door be made so as to render it a fit place of transacting parish business'.³⁴ In similar fashion, the vestry at Ringwood (Hampshire) decided as early as 1774 that their workhouse should have a committee room built so as to keep their deliberations private.³⁵ This was a direct response to the fact that, as Miles Ogborn reminds us, parishes 'could be understood, and presented to the individual, as a public space open to the wanderings and gaze of the walker' and the determined activist.³⁶ Such, for instance, was Charles Moore of Clewer Mill near Windsor (Berkshire), who walked to Tilehurst St Michael parish to deliver a letter outlining the case of an unnamed sixteen year old 'girl' then in the Clewer workhouse. She had been found in a barn suffering from 'as bad a state of venereal disease as Mr. O'Reilly [the parish doctor] ever witnessed'. Moore now asked that Tilehurst fund the removal of this person, who, 'from her penitent conduct and proper behaviour ever since' she was found, had 'engaged the pity and care of some Gentlemen and Ladies in our neighbourhood'. He had thus approached the Earl of Winchelsea to procure her admission to the Magdalen Hospital and asked that Tilehurst both pay for clothing in addition to that provided by 'the Honble. Mrs. Harcourt' and settle the bill for the surgeon. Moore added: 'I see no one regrets the trouble they have taken for her.'³⁷

33 NRO, P194/216, Letter, 12 May 1827. On the particular place of nonconformist groups in this Christian public, see Binfield, 'Industry, Philanthropy'.

34 HRO, 43M67/PV2, Amport Vestry Minutes 1821–31, 6 January 1830.

35 HRO, 95M95/PV1, Vestry Minute Book of Ringwood, 19 April 1774.

36 Ogborn, *Spaces*, pp. 109–10.

37 BRO, D/P/132/18/12/35, Letter, 30 May 1835.

Here, then, we meet different layers of an activist public: fellow officials, unnamed members of the middling sort, and titled people whose opinion and actions ought to amount to action on the part of Tilehurst. Such activism reached well into the crossover period between the Old and New Poor Laws, as we see in the case of Rosanna Gayse, writing to Gloucester from Manchester on 2 December 1841. She made the familiar argument that 'if it would seem good to you Gentlemen to grant me some weekly allowance added to my own exertions here where I am known I feel persuaded I could support myself and these children at less expense to the Parish than we can be in the Poorhouse'. While Gayse asserted that 'you Gentlemen are the best judges', she sought to bolster her case for leaving the workhouse by having her letter 'signed by some of the most respectable Ley payers³⁸ in Salford and residing in this neighbourhood who are all witnesses to the truth of [this statement and] my utter destitution'. James Hall Jr, a prominent merchant, duly attested the facts of the case and confirmed that a saving might be made by supporting Gayse outside the workhouse.³⁹ For institutional governors and managers, and even more for the boards convened when parishes were unified for poor law purposes under various acts, the need to retain the confidence of the public made the activist public particularly problematic and effective in constraining the potential for tyranny. Under the New Poor Law this strand of activism came to include organized labour and cooperative and professional organizations. Even under the Old Poor Law, letters from employers, the secretaries of non-poor law institutions such as hospitals, or (to us at least) seemingly random collections of ratepayers about individual paupers or wider workhouse regimes give a sense of a collectivist activist public.

These are important observations, and they construct the Old Poor Law as intimately (if episodically) susceptible to a developing and multilayered strand of public opinion outside of the wider 'public' debates about the character of the poor and the nature and causes of their dependence in pamphlets at this time. This applies to both indoor and outdoor paupers, but in the context of this chapter, at least, such hard and fast distinctions are inaccurate. Many poor people traversed the route from indoor to outdoor and back again multiple times, complaining as they went. They moved into and out of public spaces and were simultaneously members of 'the public' and also using that public as a resource. Still, there is no doubt that the importance of public opinion for exposing and confronting tyranny increases after 1834. Indeed, it starts even

³⁸ Ley payers were those who paid local poor rates: the rate levied was called the 'Ley' or 'Lay'.

³⁹ Gloucestershire Record Office, P154 OV 3-5-7, Gloucester St Nicholas Overseers' Correspondence.

as the New Poor Law was being implemented. In a letter of 5 March 1836, Barbara Holford of Newton Harcourt (Oxfordshire) wrote to her husband to say that 'Mr Hall [an assistant commissioner of the New Poor Law] has been stoned by a mob at Mount Sorrel when speaking about the New Poor Law, which is very unpopular in the Loughborough and Wymeswold area' (both Leicestershire).⁴⁰ This sort of 'public sentiment' is explored in the remainder of the current chapter.

THE PUBLIC OF THE NEW POOR LAW

Attempting to define or locate 'public opinion' across almost a century of the New Poor Law is a considerable task given that our subject matter was (contemporarily) and is (historically) so contested. Disparate people and groups involved themselves with petitions, meetings, writings, investigations, publications, demonstrations, and more, to challenge the rules and regulations of the system of welfare we describe as the New Poor Law. The riots and disturbances of its early years have long been researched. They are important markers in our understanding of early working-class solidarity and politicalization, and, as we note above, they provide a strategic and thematic link to processes of contestation and the role of an activist public under the Old Poor Law. Well-known figures in the New Poor Law workhouse reform movement such as Louisa Twining, Florence Nightingale, and Joseph Rogers are likewise key individuals in our understanding of what reforming activity looked like, as we argued in chapter 4.⁴¹ Making sense of these multiple interventions, publics, and activists involves understanding the continuities with the Old Poor Law – especially the continued weight of the court of public opinion and the developing role of community and activist publics in the form of public advocates – and some of the new areas of public debate that gained particular traction after 1834. For the remainder of this chapter we look at three key areas of activity. First, the role of newspapers in terms of workhouse reportage. Second, the breadth and scale of pauper advocacy. And third, the inclusion of the poor and the very poor in popular novels that weave in recognizable narratives of the New Poor Law and the workhouse itself. We are interested

40 LROW, Palmer Halford Mss II, Entry 1060/3. Correspondence about local unhappiness with the new law and its practical operation carry on through 1836 (1060/11) and right up to 1839 (1066/27 and 1066/42).

41 King and Jones, *Pauper Voices*, pp. 25, 41, 44, 47, 62–3, 99. On the other figures, see Deane, 'Late nineteenth-century philanthropy'; and Penner, *Victorian Medicine*, pp. 37–74.

for each of these in how tyranny was represented in public opinion, and how each might have played a part in the control of the potential for petty tyranny.

THE POWER OF THE PRESS

We turn first to the continued reach of the *court of public opinion*, embodied (and driven) in this period by an exponential growth in the newspaper print media. National and local titles had a strong fascination with the New Poor Law and its workhouses, publishing many thousands of opinion pieces, extracts from correspondence, verbatim records of meetings, and endless reports of petty tyranny. Much of this material focused on system-level problems (strand three of our definition of petty tyranny), matters of governance, or philosophical reflection on the proper role of right and responsibility. But we can also detect a distinct and significant set of commentary on the petty tyrannies identified in the preface. Thus, an 1844 account in the *Manchester Times* on the death spiral of handloom weaving in North-West England hypothesized a situation in which, from a cohort of 1,000 handloom weavers, the demand for these workers diminished and only 600 were needed:

In such a state of things it is obvious that wages will be reduced by the competition of the 400 unemployed, for every individual of them, rather than starve or beg, *or go into the much-disliked and often hated union workhouse* will offer his labour for less than is received by those who are fortunate enough to have employment.⁴²

We have seen the construction of forced workhouse residence as a form of petty tyranny (and one to be resisted) in the letters of paupers and their advocates throughout this volume and under both the Old Poor Law and the New.

Here, the cause was taken up in public by sympathetic editorials, the function of which was both to highlight petty tyranny and to witness or embody public opinion. Such witnessing was routine and detailed. Typical of an early anti-New Poor Law piece, for instance, was the 4,000+ word report titled 'Public Meeting in Kendal TO PETITION AGAINST THE NEW POOR LAW' from January 1837. Here, the reported narrative of the speakers journeyed through the various arguments we have seen submitted by paupers across the previous eight chapters: workhouses were intended to be like prisons; the PLC would part husbands and wives; once a person entered the workhouse they would lose their home and struggle to escape the workhouse; and, of course,

⁴² *Manchester Times*, 7 September 1844, p. 4. (Our italics.) For more on the long-term structural problem in the 1840s, see Timmins, *The Last Shift*.

an example is given of the poor threatening to die rather than enter the workhouse. Staring the New Poor Law in the face in 1837, the editorial reported that it was condemned by the speakers and audience alike (the town hall was reportedly crowded ‘chiefly by the working classes, amongst whom the greatest excitement prevailed’) and characterized as ‘evil’, ‘tyrannical’, ‘oppressive’, and even ‘unconstitutional’. The meeting, and the editorial, identified future potential acts of tyranny by process, person, conflict, and neglect.⁴³

In 1862, focusing on ‘cotton famine’ induced distress in the North, the *Daily News* forcefully and clearly emphasized the abhorrence with which the dependent and marginal poor considered the New Poor Law, and the clauses around indoor relief in particular. The report stated that ‘the whole body of the poor hate the workhouse, even when they do not scruple to accept its shelter, it is manifest from the fact that the word has dropped from their vocabulary, to be replaced by “Bastile”’.⁴⁴ The article did not refer directly to tyranny by process, but the deep narrative was clearly framed in this way. Reporting on an influx of labourers for the construction of the docks and railways at Cardiff in the mid 1880s, the *Western Mail* focused on the incidence of illness and temporary disabilities of workers unable to support themselves once incapable of working. The report stated: ‘As a rule the navvy is a man who detests a workhouse, and this class of labourer contribute but a very small proportion to the total sum of pauperism.’⁴⁵ For the *Western Mail*, forced workhouse residence was not merely costly and illogical but perverse and tyrannical – an example of process overriding commonsense. Such narratives increasingly framed calls for action as the period developed. In an extended 1892 piece in the *Croydon Times* on the subject of pensions for aged paupers it was ‘evident there is a “tide” in this affair, which, if taken advantage of, may lead on to something’. The writer considered that the insufficiency of outdoor relief and its subsequent evils were well admitted and continued:

The aged poor hate the workhouse, and will often submit to any privation rather than enter it. You will hear the agricultural labourer apply to the workhouse the most contemptuous terms his tongue can find. It is not only a badge of shame, but it takes him from his old home, his children and friends, robs him of the little sunshine that might fall upon his old days; he says he may as well die as be shut up and simply kept alive.⁴⁶

⁴³ *Kendal Mercury*, 28 January 1837, p. 4.

⁴⁴ *Daily News*, 29 September 1862, p. 5. For context, see Boyer, ‘Poor relief’.

⁴⁵ *Western Mail*, 21 December 1885, p. 2.

⁴⁶ *Croydon Times*, 6 February 1892, p. 2.

The timing of this piece was not of course accidental. Wider debates about honest poverty, new social instigations on the state of the aged poor by Charles Booth in 1894 and 1899, and (in 1895) planning for the first of three inquiries into the aged poor and their entitlements during the 1890s had all created a receptive audience for articles of this sort. A more sardonic account of the poor's extreme distaste for the workhouse – but no doubt an equally attractive one to the public given wider discussions at the time – was put forward by the *Lewisham Borough News* in May 1893 under the title 'WORKHOUSE PRISONERS'. The piece lamented the fact that no workhouse inmate under the age of sixty was allowed out of the workhouse except on the master's express consent. Some had 'not been outside the Workhouse walls for 3 and even 18 months', leaving them as virtual prisoners. The writer sarcastically professed to 'wonder why the poor do not like the Workhouse, where they receive every comfort, including imprisonment'.⁴⁷

Newspaper commentary in (and shaping) the court of public opinion also regularly (and increasingly across our period) strayed beyond a focus on tyranny by process to some of the other forms that we identified in the preface, suggesting how a feeling or expectation of tyranny could build and amplify. Thus, in an anonymized letter to the *Reynolds's Newspaper* published in late 1896, 'Northumbrian' criticized the two-faced accounts of good cheer in the workhouse at Christmas from the Lambeth Board of Guardians. The writer contended that little dietary change in food and drink was discussed. A suggestion of replacing stew with beef at Christmas was refused, and the proposal of beer for the inmates was criticized 'as calculated to lead the paupers into habits of drinking'. The writer reported that the Lambeth guardians also objected to entertainments as tending to make

Lambeth Workhouse so enticing and comfortable [this is where the 'laughter' should have come in] that they were becoming overran with young people who would not take the trouble to earn their own living (Cries of 'No! No!') Mr. Cochrane said the life of the inmates was one continuous concert. (Laughter.)

Being told that the Lambeth workhouses were too inviting and offered such entertainment that people would desire entry as an inmate pauper rather than working or earning was considered by 'Northumbrian' as 'really too funny for words', but the wider inference of the letter was also to identify tyranny by inaction and neglect. Moving from the sarcastic to the serious the writer contended:

⁴⁷ *Lewisham Borough News*, 11 May 1893, p. 2.

As a fact, the poor hate the workhouse with a deadly hatred and they often prefer death to partaking of parochial generosity. Of this we have abundance of proof in Coroner's inquests which have been held upon people starved to death.⁴⁸

This stinging rebuke moved the article from the moral, philanthropic, and philosophic territories that often shaped discussion over the appropriate celebration of Christmas in workhouses to a wider critique of the landscape of petty tyrannies that could fatally change behaviours in extremis.

As the state moved towards old age pensions after the 1906 general election, the increasingly stark presence of a deterrent institution (with capacities for a raft of everyday tyrannies) in the palette of welfare available to a deserving group such as the aged attracted sharp scrutiny in public debate.⁴⁹ Under the title of 'Pensions for All', the Labour MP George Barnes declared in March 1907 that 'Pensions for all as a civic right hold the field'. However, he pointed out that there were those 'who still regard the poor law as being the proper medium for dealing with old age'; a connection that many potential recipients would find difficult to accept.⁵⁰ Barnes, tapping into a long and deep critique of the institutions of the New Poor Law, was adamant that

It is not a question of amending or humanising the poor law. As a matter of fact, the workhouse has been improved. The scale of dietary, as well as the general standard of living, in the workhouse are, perhaps, better than those obtaining among the labouring classes of the population, but still the best of the poor hate the workhouse as much as ever they did. And for my part I hope they always will.⁵¹

Barnes's point here, of course, was that the experience of ordinary poor working-class families (both their own experiences and stories passed down to them by older relations) of the New Poor Law was a 'baked-in' distaste for it in its entirety. By the first decades of the twentieth century the Victorian workhouse had changed (and Barnes testified to this), but the tyrannies of the

48 *Reynolds's Newspaper*, 20 December 1896, p. 2.

49 As far back as 1878, Canon William Lewery Blackley advocated a compulsory scheme of national insurance that would be administered through the Post Office. This was followed by Joseph Chamberlain, the first politician to take up the issue, and a series of government committees in the 1890s and very early 1900s. See Thane, *Old Age*, pp. 196–215.

50 In the event it was the Post Office that handled the administration of the new pension arrangements: Pugh, 'Working-Class', pp. 779–80.

51 *South Wales Daily News*, 22 March 1907, p. 4.

workhouse in particular had left an irremovable stain on the working-class psyche; an expectation and fear of potential tyranny. The full (and extending) implementation of old age pensions did not see the end of the New Poor Law, and the press continued to shape the court of public opinion by undertaking the dual task of testifying to myriad serious and petty tyrannies and condemning the workhouse system as a whole.

A 1911 meeting at the New Princes' Theatre in Preston (Lancashire) was later reported in the local press. There, George Lansbury, Labour MP and future leader of the Labour Party, spoke against a recent LGB order that would restrict the discretion of Boards of Guardians granting outdoor relief. This 'iniquitous Order', he contended, would prohibit outrelief to any elderly person unless they first secured a medical certificate; widows would be refused outdoor relief after the first six months following the death of their husband; and the able-bodied would be relieved only inside the workhouse unless there was 'special distress' within the district. Lansbury, calling on his experience of eighteen years as a guardian,⁵² believed that 'it was true that the LGB looked with special favour on the Board which relieved nobody, and in their turn Boards of Guardians looked with great favour on the relieving officer, who could turn most applicants empty away'. Thus, he characterized local officials as not relieving distress in the best way they could, but instead putting people off applying for relief with the result 'that the poor hated the workhouse and hated the Poor Law, and some would rather die than go near it. It was all part of the great policy of preserving the moral backbone of the people. (Laughter and cheers.)'⁵³ Here, then, late into the New Poor Law, was the breakthrough of tyranny by process, but also that by inaction, conflict, and neglect.

ADVOCATES AND THE ACTIVIST PUBLIC

The *activist* and *community publics* familiar from the Old Poor Law also operated strongly after 1834, increasingly in the guise of the insistent activities of advocates for the poor. Such people might (as under much of the Old Poor Law) be local pillars of the community, but there is also a clear extension of the advocate base after 1834 to include individual organizations and even the poor themselves. Thus, in 1841 Hugh Bruce Campbell wrote from Park (Nottinghamshire) to the PLC about John Henson. Campbell was a solicitor

⁵² Lansbury's steadfast hostility to the New Poor Law with its central 'hated workhouse as the symbol at its heart, became his longest crusade and linked his efforts to ameliorate the conditions of the poor, destitute and unemployed of the East London'. Sheperd, 'A life on the left', p. 152.

⁵³ *Lancashire Evening Post*, 6 February 1911, p. 2.

and an under-sheriff for the county, and he would later go on to be the clerk of the Ilkeston Turnpike Trust⁵⁴ – the very personification of ‘public opinion’. Campbell considered that

the Guardians of the district in question were in the present instance carrying out the provisions of the New Poor Law with a degree of cruelty and harshness which the legislation in framing that law did not contemplate and which it was our unanimous belief the commissioners would not sanction.

He went on to state that Henson was eighty-one years old and living at ‘Heanor with two of his daughters who are very poor people indeed, and has been for some time past from age and bodily infirmities unable to do anything towards maintaining himself’. Campbell testified that Henson had worked all his life, brought up a large family, and always maintained a good character. At the time of Campbell’s letter Henson had become ‘unable to work’, and Campbell explained that the man’s employers (Messrs Barker, Walker and Co., coalmasters at Eastwood) had agreed to provide him with him with 1s 6d per week on the understanding that St Alkmund (Derbyshire), where he held his settlement, would allow him the same. The local authorities refused to allow any outdoor relief to make his monies up, which astounded Campbell. Hanson was forced to enter the workhouse as the man’s employers rescinded the offer of money once they heard that no out relief had been offered. Campbell signed off that he was ‘Waiting the favour of your answer and soliciting your immediate interference’.⁵⁵ We have no record of whether the Central Authority went on to ‘interfere’, but Campbell was clear both that he saw the deliberate breaking up of the family as tyranny by process (it was a choice to act in this way) and that the case had been discussed in the locality. He was unable to prevent the realization of the potential for petty tyranny on this occasion, but he sought to prevent further realization in the future.

John Allen, the vicar of Prees and the Archdeacon of Shropshire, was a pillar of the local community and a shaper of public opinion. He wrote to the PLB in 1849, stating: ‘In a shed adjoining a cottage in the Village of Prees, Salop, an idiot and a lunatic, both females, are at present kept at the expense of the parish of Wem the cost being for each 4s/- a week.’ He described the shed as roughly constructed so that the cold air blew in through the numerous cracks and holes in the side and a hole in the roof where rain must freely have entered the room. Moreover, the two women could not go as they please, the

⁵⁴ Anon, *Rambles Round Nottingham* (Nottingham: W. F. Gibson, 1856), Vol. 1, p. 18.

⁵⁵ TNA: MH12/9231/161, 4940/B/1841, Letter from Hugh Bruce Campbell, Park Nottingham, to the PLC, 24 April 1841.

door being secured as per a parochial agreement. Allen had only lately been appointed to the parish and had thus only recently discovered the case. Interestingly, Allen's rhetoric was calm and did not involve terminology indicating anger or frustration. Rather, he was confident of his position of respectability and his place in the social hierarchy; he expected the PLB to listen to him. Allen, who wished for the two women to be admitted as patients to the county asylum, calculated that the cost of placing them there would be 10s each, thus increasing the combined weekly relief costs for the two women from 8s to £1 per week. Prees was in the Wem Poor Law Union (Shropshire), and in his letter Allen characterized the guardians as 'a humane body of men'. His assessment of the relieving officer was measured but firm. He said that he had no reason to believe 'that the Relieving officer is wanting in humanity, but a desire to reduce the poor rates makes him anxious to save where ever practicable, and I have reason to believe that other pauper lunatics in the Wem union are similarly disposed of'. His assessment of the case took into account the present situation and the inhuman treatment of the two women, which precluded any improvement in their conditions, but also future hazards should their position remain: 'If the lunatic were to take offence at the idiot, as the door of the shed is fastened on the outside, the latter would have no means of escaping her fury.'⁵⁶ Although not a workhouse case per se, the story refers to the incarceration of local paupers and drips with the various tyrannies of process, person, conflict, neglect, and inaction. Like Campbell, Allen was unable to prevent this breakthrough of tyranny, but he laid markers to prevent it in the future.

Although middle-class advocates often intervened from their own individual inclination, they might also act when prompted by other ratepayers. In February 1874 W. M. Alderson wrote from Thornhill Grove, Barnsbury Park, in Islington (Middlesex) to the LGB. Alderson's letter was written 'under the advice and at the earnest solicitation of a number of Persons of Property residing in ye Town of Reeth' (Yorkshire, North Riding). Those Reeth property owners had asked Alderson to raise the case of Martha Spence, who had until recently received outdoor relief from the Reeth Union. This relief had been stopped for almost a month. She was disabled (at some point she had lost two fingers) and was 'afflicted with a bleeding and vomiting of Blood and Matter'. It appeared someone had recently written to the Board of Guardians that Spence was an 'imposter' and this had led to her new application for relief being refused. At this board meeting, 'A Gentleman' spoke on her behalf, and it appears the offer of the workhouse was made but she 'lived under her own roof and does so now for she like many has a

56 TNA: MH12/10088, 8745/49, Letter from John Allen, Dover Court, South Sea, Hampshire, to the PLB, 21 March 1849.

strong Aversion to go into the Workhouse'. Like Allen's letter above, Alderson's rhetoric was restrained and there was no reference to cruelty nor wanton neglect; he was measured and firm:

[I]t seems that the Board have acted solely on the Evidence of a Witness who is Uncorroborated in his statements. And as she [is] now supported by the exertions of friends I on her behalf on behalf of charitable friends appeal to [your] honorable Board to 'Over [rule] the Rural Guardians verdict and beg that her relief may be Gra[n]ted while this Mortal Coil of hers may last, which may ^not^ be long.

Thus, Alderson was advocating for Spence but through the earlier advocating actions of the property owners in Reeth. Public opinion on the minutiae of a single person lifted through layers of respectable advocates.⁵⁷ Her case illustrates that she faced obvious tyranny of the person (specifically gossip), neglect, conflict, and inaction, with these now firmly disputed in the public domain both as a matter of present confrontation and future warning.

STORIES, NOVELS, AND THE WORKHOUSE

Thus far we have emphasized continuity in the nature and mechanisms of public opinion between the Old and New Poor Laws. There were also new and powerful forms of public engagement with workhouses after 1834, not least the production of popular printed storytelling encompassing workhouses, poverty, and the general lives of the poor. In particular, the writing, production, and publication of 'social problem novels' were important channels. Such books not only managed to voice the concerns of the poor regarding the conditions under which they lived, but they also appealed to a large middle-class constituency who, while not against the workhouse per se, often had serious concerns about the petty tyranny that appeared a constant element of indoor relief.

In this regard Charles Dickens set the scene with *Oliver Twist; or, The Parish Boy's Progress*, serialized from 1837 and published in a three-volume set in 1839. The longevity of the book as a vibrant historical commentary is truly outstanding, and something we commented on briefly in chapter 4.⁵⁸ The

57 TNA: MH12/14591, 10176/1874, Letter from W. M. Alderson, Thornhill Grove, Barnsbury Park, to the LGB, 10 February 1874.

58 It is difficult to think of the workhouse in the British context without immediately and often unconsciously lifting aspects of Dickens's work. See Huggins, 'Constructing', p. 359.

book was published in the wake of the 1834 Poor Law Amendment Act but it is likely that much of the planning and writing took place with the Old Poor Law in mind, and the book's subtitle, *The Parish Boy's Progress*, also lends itself to the Old rather than the New Poor Law. However, the book's timing – the first publication date for chapters 1 and 2 was February 1837 – has meant that for most contemporary readers it was *the* long-standing characterization of the New Poor Law.⁵⁹ This notwithstanding the fact that most of the setting for the book was the titular character's experience as one of Fagin's child criminals in the roads and alleyways of London.

Nevertheless, social problem novels often featured workhouses, and the negative side of them, as a vector for the rest of the narrative. For example, in Dickens's *A Christmas Carol. In Prose. Being a Ghost Story of Christmas*, first published in 1843, the workhouse as an institution did not feature as a place in which the characters were sited, but its shadow fell across the text several times. Within the early setting of the story, Ebenezer Scrooge, the main protagonist, is visited by two unnamed men touring local businesses on Christmas Eve asking for subscriptions to provide some comforts for the poor. Scrooge enters a rhetorical game with the gentlemen, asking if there were no prisons or union workhouses. Referencing the workhouse, the two men assert that many could not bring themselves to enter the workhouse, and that many would rather die. 'If they would rather die,' said Scrooge, 'they had better do it, and decrease the surplus population' – something we saw real examples of in chapter 2. The role of Scrooge in the book would not be lost on contemporary readers. Dickens set him up as a vindictive and insensitive individual who lacked basic empathy, understanding, or compassion for the poor. Here, Scrooge represented the ratepayer, and a rather petty, mean-spirited, and malicious version of one at that. His view of the poor was rather macro-minded, and he regarded them as a lumpen mass, not speaking of this or that poor person but rather of all of them together.⁶⁰ Using the novel's mechanism whereby he was visited by the three spirits, Scrooge was given the opportunity to see and hear (and to know) the individuality of the poor in the shape of Tim Cratchit. This, through the cyclical repetitions of his comments on surplus populations and the rhetorical questions of the workhouses, spoken back to Scrooge, showed his moral progression. He was 'overcome with penitence and grief' – a reaction to his words bringing about atonement and redemption. The conclusion itself showed how the main protagonist's views were reformed and used to guide the readership's

⁵⁹ Jones and King, *Pauper Voices*, pp. 16–17, 98.

⁶⁰ In this sense Dickens delivered critical social meanings in his storytelling 'while engaging the reader through empathetic characters, sharp wit, and true-to-life situations': see Stearns and Burns, 'About the Human Condition', p. 3.

collective moral development.⁶¹ Dickens's *A Christmas Carol* instantly sold out and has remained in print almost continuously through to the present day, its past and current popularity driven by the 'sense of tradition' it engenders in its own right. Huge numbers read it, heard it read (Dickens himself gave live performances), or witnessed it as a live play; and in later years, many more heard it on the radio or saw it at the cinema or on television – in various iterations.⁶² In every way, the book was of and embodied public opinion.

Less well known but more rooted in the world of the New Poor Law is Frances Trollope's 1843 novel *Jessie Phillips: A Tale of the Present Day*. In the book the bastardy clauses of the New Poor Law were specifically condemned, but the law in its entirety was relentlessly attacked throughout as a disaster for people in general:

Those only who are well acquainted with the feelings of our English peasantry before they have been crushed out of all resemblance to themselves by the degradation to which they are reduced, when brought by misfortune under the influence of the present law of the land respecting paupers – those only who know their minds as well as their persons, their virtues as well as their wants.⁶³

Trollope, like Dickens, warned of the future should such tyrannies continue. She wrote into the book a spectrum of lesser characters alongside the main protagonist. The respectable Mrs Buckhurst witnessed 'Simon Rose, with his granddaughter, poor soul! and her three little ones, standing before that dreadful Richard Dempster, the governor, looking as if they thought that life and death depended on his will'.⁶⁴ Another such lesser character was the respectable Margaret Greenhill, who had been a nurse in the home of the Marquess of Pemberton and whose son had been a businessman jailed for debt after overextending his finances. Greenhill appeared before the Deepbrook guardians to seek relief for her daughter-in-law and the couple's children. The boorish Mr Huttonworth was the guardian who harangued, berated, and scolded her. The 'conversation' text as Greenhill faced the Board of Guardians is worth setting out here as there is much we recognize from earlier chapters:

61 Moody, 'Implausible'.

62 C. Dickens, *A Christmas Carol and Other Christmas Books* (Oxford: Oxford University Press, 2006), pp. vii–ix, xxvii.

63 B. Ayres (ed.), *Jessie Phillips: A Tale of the Present Day (1843)* (Abingdon: Routledge, 2016), p. 46.

64 *Ibid.*, p. 48.

'Who are you?'

'My name, sir, is Margaret Greenhill.'

'What do you want?' Was the next demand.

'Assistance, sir, for ...'

'Yes, yes; you need not go on in that direction; we know that. Of course, that is the cuckoo cry, from first to last – Assistance sir. I wish to my soul, that we could have a little variety, and that some of you would have the exceeding kindness to want something else.'

'Where do you come from?' was the next query, and from the same gentle guardian – a guardian, as it should be remembered, of the most unhappy portion of the human race.

'I come from Bushy Lane, sir, in this parish.'

'What do you mean by *this* parish? Good Lord! how difficult it is to get a direct answer. What *do* you mean by *THIS* parish? The parish of the union? Don't you know foolish body, that there is no less than nineteen parishes in the union?'⁶⁵

Greenhill was constructed as a respectable and long-term member of the community. However, her treatment by the Board of Guardians here was predicated on her poverty. She was browbeaten, rudely interrupted, and bullied in this exchange *because* of her poverty, which 'seemingly erased the respect she had won over a lifetime'.⁶⁶

Readers would have seen in such exchanges their real counterparts, melding the fictional and the current in communities they knew. For example, in May 1870 Margaret Wallace from Durham (Durham) wrote to the PLB enclosing a letter she had sent to the Durham guardians. Together the two letters tell us that, like Greenhill's character in *Jessie Phillips*, she had gone in front of the local guardians seeking outdoor relief and specifically looking to avoid the workhouse, which was indeed offered. Like many of the pauper accounts given across our volume, Wallace had no intention of her and her children becoming 'inmate paupers'. The financial crisis for the Wallace family was her husband's conviction at the Durham Assizes for night poaching, for which he was sentenced to twelve months imprisonment. The parallels with Greenhill are striking. A woman with children to care for, a husband in gaol, and a woman in front of the guardians seeking to avoid the catastrophe of the workhouse. There is no verbatim record of the meeting between Wallace and the guardians, but in her letter to the board after the meeting she wrote:

65 F. Trollope, *Jessie Phillips: A Tales of the Present Day* (London: Henry Colburn, 1843) Vol. 1, p. 61.

66 Ayres, *Jessie Phillips*, p. 12; Sutphin, *The Social*, p. xx.

I very humbly beg to state that when I were before you on the last occasion making an application for outdoor relief, I were very timid and in fact afraid to speak, never having appeared in my life before such a number of public Gentlemen.⁶⁷

Both fictional and factual women then were aware of their position in relation to the power of guardians. Where Greenhill spoke out of literary necessity, Wallace was reticent in order not to offend the guardians. They had deliberately rendered her 'timid'. In both accounts tyranny by the person and conflict were evident, and while Wallace's might have been private, Greenhill's was a published, public, and open description with considerable traction. The potential for tyranny had been realized and a feeling or expectation of tyranny augmented.

For the late 1840s onwards other social problem novels by the likes of Elizabeth Gaskell, Dickens (again), Isabella Banks, George Moore, and Arnold Bennet extended their subject matter to include industrial relations, Corn Law agitations, Chartism, and the broader education of the poor.⁶⁸ Bennet's *Clayhanger*, published in 1910, towards the end of our period but set in the Victorian midlands, recalls the deep-seated fear in the psyche of the poor. The story was told through the eyes of Edwin Clayhanger and shaped by class, geography, and family. The workhouse appears in the early part of the book with a recollection of the shaming that would occur as a family found itself approaching its doors:

The Bastille was on the top of a hill about a couple of miles long, and the journey thither was much lengthened by the desire of the family to avoid the main road. They were all intensely ashamed; Darius was ashamed to tears, and did not know why; even his little sister wept and had to be carried, not because she was shoeless and had had nothing to eat, but because she was going to the Ba-ba-bastille; she had no notion what the place was.

Here, then, we understand the aching shame of the workhouse and the way that an expectation, rather than merely a threat, of tyranny percolated

67 TNA: MH12/3025: 21218/1870, Letter from Margaret Wallace, Durham, to the PLB, 7 May 1870.

68 E. Gaskell, *Mary Barton* (London: Chapman and Hall, 1848), and *North and South* (London: Chapman and Hall, 1854-55); C. Dickens, *Hard Times: For These Times*, (London: Bradbury & Evans, 1854); I. Banks, *The Manchester Man* (London: Hurst and Blackett, 1876); G. Moore, *Esther Waters* (London: Walter Scott, 1894); and A. Bennet, *Clayhanger* (London: Egmont Books, 1910).

the individual and collective lives of the poor across our period. After all, *Clayhangar* would have had to be intelligible to an intended general readership.

CONCLUSION

Understanding the degree to which an obvious potential for petty tyranny in Old and New Poor Law workhouses was realized on the ground is partly a function of tracing the role of different forms of public opinion on constraining action and actually or metaphorically punishing transgression. For the post-1834 period, that public opinion was partly embodied in and shaped social problem novels. They were of course less numerous than the press pieces that also reflected and shaped public opinion. However, they had the value of multiple editions and their use in live performance. Dickens's *Oliver Twist* has rarely been out of print, and a search of the British Newspaper Database between 1910 and 1914 returns some 9,343 hits on this title, including many reviews and notices of the book being presented as a play.⁶⁹ Thus seventy-odd years after its first publication, Dickens's condemnation of the deterrent workhouse was explaining to audiences the inherent danger of tyranny in a then-still-current institution. A few novels dealt fleetingly with workhouses under the Old Poor Law but this feature at least was a function largely of the new system. Other forms and embodiments of public opinion – the press and advocates in particular – had a more consistent role in highlighting and confronting tyranny across our period. For the Old Poor Law, the evidence would seem to suggest some success in constraining the realization of petty tyranny. In turn, there was no honeymoon period for the New Poor Law. Criticism of the proposed reform began at its inception and continued throughout our period. Newspapers maintained a steady and pointed critique on the workhouse as a deterrent institution, carrying stories particularly of tyranny by the person, process, conflict, and neglect. In so doing, much of the popular press contribution contained human interest stories that reinforced the complaints of pauper inmates themselves and so mirrored the lives of millions of people. Advocates – often the embodiment of what contemporaries saw as 'public opinion' – challenged local and (after 1834) national administrators alike. In the main they expected to be listened to and for their views to be acknowledged. They asked the authorities to clarify their understanding of the poor law and asked how, in individual cases, they arrived at their conclusion. For individuals, they could have a fundamental, if inconsistent, impact on experiences of tyranny in the everyday. And it is to the everyday that we turn in the final conclusion to our book.

69 See <https://www.britishnewspaperarchive.co.uk/>.

Conclusion

I reflected. Poverty looks grim to grown people; still more so to children; they have not much idea of industrious, working, respectable poverty; they think of the world only as connected with ragged clothes, scanty food, fireless grates, rude manners, and debasing vices; poverty for me was synonymous with degradation.¹

Jane Eyre was, in 1847, reflecting on the experiences and construction of the marginal poor rather than the sorts of dependent paupers that we have encountered under the Old and New Poor Laws throughout this book. For this group we know from their own words that poverty looked ‘grim’ and that its degradations were amplified by the threat and reality of enforced residence in workhouses and in workhouse-like institutions. We have encountered them, their advocates, public commentators, and even some officials constructing such residence as tyranny by process, and we have traced a strong seam of resistance both to the ‘offer’ of the workhouse and to residence there once they had no choice. Of course, there were many ambiguities over what constituted a workhouse in the last ‘crisis’ decades of the Old Poor Law that have been our starting point. Still, even in our expansive definition of the term, we find pre-1834 writers and advocates understanding potential confinement in less formalized residential settings with no work or supervision whatever as an act of tyranny. As Arthur Redford noted of Manchester (Lancashire) in 1822, the vestry determined that the threat of removal to the workhouse was ‘found to be a wholesome check upon unnecessary applications for relief’.² For the New Poor Law the ‘threat’ of the workhouse rapidly became a cornerstone of public understandings of the intent and character of the welfare offer.

1 C. Brontë, *Jane Eyre* (London: Wordsworth, 1992 edn.), p. 18.

2 Redford, *The History of Local Government in Manchester: Volume II*, p. 102.

Our definition of tyranny by *process* encompasses many other small everyday acts by institutional staff, guardians, union or parochial officials, and ratepayers over and above the threat of the workhouse itself: changing dietaries; refusing visits or extending confinement; offers of inadequate outdoor allowances; enforced work; and complex application processes that made workhouse residence more likely as an endpoint. Although mostly legal, such practices were irksome to and much resented by the marginal and dependent poor. The minute character of tyranny by process varied both within and between poor law systems, but we can trace it consistently over the evidence employed here. In turn, we have also argued that tyranny by process was supplemented and (in individual cases) joined by other forms of everyday petty tyranny: tyranny by *person* (refusing to hear pauper complaints about officers, regimes, or other paupers; extended periods in workhouse lock-ups; illegal beatings (or threats thereof); active use of gossip; sexual abuse); tyranny by *conflict* (formal punishment; forced medical treatment; sanctions such as withdrawing privileges; failing to follow prescribed rules); tyranny by *neglect* (symbolic tyrannies such as deliberately failing to wash or repair clothes; provision of substandard food; allowing the spread of disease; failure to control gossip); and tyranny by *inaction* (failing to prevent or punish violence on problematic paupers by other inmates; failure to allow paupers access to visiting committees or ratepayers; failing to appoint enough staff at a local or national level; failure to investigate rumours of flawed systems). To this matrix we added a sixth form of tyranny – tyranny by *accident* – which emerged as a strong signal of the chaotic introduction of the New Poor Law but was also a feature of the remarkably fleeting turnover of parochial and other commitments to workhouse-like institutions under the Old Poor Law.³

Some of these practices bordered upon being or were in fact illegal. Most were not. Some reflected the dull incompetence and disregard for rules, humanity, and duty that were the hallmark of many early historiographical commentaries on the officers of the parochial and union system.⁴ Much else was – as so many of our stories have shown – deliberate, with the realization of a latent potential for tyranny linked closely to the presence or absence of certain types of character, institutional configuration, or pauper. The first strand of our tripartite definition of petty tyranny thus focuses on the actions (acts of omission or commission) and attitudes of *particular individuals* and of those who failed to hold them to account. The other two strands – allegations and experiences of systemic (and sometimes temporally sustained) petty actions in

³ Well captured by Taylor, 'The unreformed', pp. 57–84, p. 58, 61–3, 68.

⁴ See Redford, *The History of Local Government in Manchester: Volume I*, p. 180; or Dunkley, "'The hungry forties'", p. 343.

particular places, often still associated with situational variables; and broader system-level failings that underpinned a ‘feeling’ of subjection – capture a wider canvas of both the potential for tyranny and the breakthrough of that potential into everyday experience. This focus, in effect on the micro-DNA of the Old and New Poor Laws, prioritizes small and fleeting explanations for realized tyranny over some of the bigger trends outlined in chapter 1. It also explains why we did not set out to find (and indeed never found) systematic patterns in the experiences of petty tyranny linked to different regions, types of union, or particular groups of paupers. Thus, while we see that subgroups of the poor were particularly likely to be singled out for control and punishment in the workhouses of the Old and New Poor Laws (single mothers, children, the insane), it is not clear within the *wider* experience of forms of realized tyranny across both systems that these groups were over-represented compared with their place in the overall workhouse population. The situational and individual nature of much breakthrough of tyranny into the everyday is a caution against seeking these easy-to-assume patterns.

Whatever the motivation, poor people and their advocates – those facing institutional welfare and those already caught up in it, however fleetingly – understood the concept of petty tyranny. Indeed, they used the term explicitly. More than this, in letters, witness testimonies, court appearances, and numerous small everyday acts of resistance they made a distinction between tyranny or petty tyranny (the two were often used interchangeably) and the extreme and usually illegal behaviours that magnified into national scandals. Many of these involved accretive and cumulative episodes of petty tyranny until particular circumstances (people, events, publicity) propelled them into formally investigated or publicized ‘scandals’, but most petty tyranny remained just that and was understood and confronted as such. We do not argue here or in the wider book that all institutional confinement was negatively experienced, that all institutional officials and workers practised tyranny all or most of the time, that the welfare system was unique in the generation of opportunities for petty tyranny,⁵ or that paupers understood the tyrannies of the Old and New Poor Laws in exactly the same way, although the continuities that we have highlighted are in fact remarkable. Thus, when Edward Wilkins wrote from Dursley to his cousin Daniel Cole in Tetbury (both Gloucestershire) about his mother’s confinement in the ‘poorhouse’ (on which subject Cole had clearly

5 See, for instance, exactly the same range of petty tyranny we outline here played out in the nineteen pages of evidence accompanying Mr Coningham, *Copies of Charges of Ill-Usage and Cruelty Towards Patients in the Northampton Hospital, Brought Under the Notice of the Secretary of State in June 1857 by Mr John Percival, in Consequence of a Letter Received by Him From One Charles Verity* (London: House of Commons, 25 January 1860).

written previously to Wilkins), he noted that 'I never was more surprised than I was at the contents of your letter ... was never more hurt'. Having received intelligence of her incarceration, Wilkins 'was so hurt to think of her being placed in the Poorhouse that I went the next day to fetch her home in a Car to end her days with me'. His shock, however, was not shared by his mother. When Wilkins arrived, he 'found her not fit to be moved. nor willing'.⁶ Examples like this perhaps suggest the same sorts of local efforts to humanize practice as Peter Gurney has seen under the New Poor Law.⁷

We also of course acknowledge the limitations of our data. The New Poor Law sources in particular are auto-correlated to dispute, complaint, and poor behaviour, even if some of the other data sources that feature heavily here (newspapers, novels, circulars) begin to confirm the wider traction of many of our perspectives. Similarly – and necessarily, given the fluid nature of institutional or vestry provision in most parishes and the degradation of archives over time – our Old Poor Law material is selective by place and period. For both poor law systems, our material, while extensive, captures only a small subset of those who passed through institutions. This is not a reflection of the fact that our material is biased towards the most literate, but rather that once inside Old and New Poor Law institutions a range of factors ensure that only the most determined voices are heard or recorded. It is persistence, not literacy, that shapes our evidence. Some of these factors have been actively explored in our chapters, and they were themselves understood as petty tyranny – a refusal to convene visiting committees, for instance, or to allow paupers to make their cases before guardians at meetings that were routinely subject to newspaper reporting and would thus have allowed inmates to have a public voice – while others are latent. Workhouse officials keenly aware of the power of inspection by magistrates under the Old Poor Law or by a central inspectorate under the New were prone to withholding the paper, pens, and ink that inmates needed in order to have their voices heard.

Yet, even acknowledging all of these cautions, our evidence clearly points to the *potential* for a routine execution of petty tyranny in the institutional contexts of the Old and New Poor Laws, and breakthrough tyranny (as we have termed it) is plainly evidenced in the archival record. This idea is *not* at odds with our previous joint and several analyses of pauper experiences and agency under both poor law systems, in which we have focused on the realization of pauper and advocate agency, negotiation rather than imposition, and some of the mechanisms that hedged in ratepayer power at local levels. There *were* controls on the realization of the potential for tyranny that we

6 GRO, P328a OV 7-17, Tetbury St Mary Poor Law Correspondence, 25 March 1833.

7 Gurney, *Wanting and Having*, p. 76.

outline, and a significant part of the book focuses here. The role of magistrates under the Old Poor Law in confronting tyrannical practice or dissuading it in the first place remains imperfectly understood, even for the period after 1796 when they gained more powers of active interference.⁸ It seems likely that practice was locally specific and highly personal, for which reasons again we have eschewed a search for temporal or spatial patterning. Other controls perhaps had more traction. The formal contracting that underpinned in various ways the fleeting provision of much Old Poor Law workhouse infrastructure imposed enforceable duties on farmers, governors, and masters in retained and direct workhouse provision. Such duties were mostly to ratepayers and parochial officers, but they gave power to confront tyranny, and we have seen instances of this in practice in earlier chapters. Advocates, formal and informal visitors to institutional contexts, and the (rhetorical and practical) resistance of poor inmates or those threatened with workhouse confinement to tyranny of all sorts also had an important impact on how far the potential for petty tyranny was realized or (in particular places) sustained after 1834. The ‘publics’ of public opinion have often been constructed as highly critical of the moral and financial failures of the Old Poor Law in its crisis years from the 1790s, but (and as we have seen) there is evidence that the same publics were important in containing petty tyranny. The advent of a more professionalized administration arising out of local acts, the increased traction of select vestries in the 1820s, and the more general rise of paid overseers may also have limited this potential.

Mechanisms of formal control become notionally clearer after 1834. This is a fiction. The Central Authority had a set of powerful tools to shape who was appointed to workhouse positions and to weed out abusive staff, but those tools were imperfectly – even cursorily – applied. Eric Midwinter noted as far back as 1969 that the Lancashire New Poor Law came into being requiring staff for roles where no formal qualifications had been defined. He argued that almost all new appointments were drawn from the military, the Old Poor Law, or were recycled from other places in the institutional ecology of England and Wales, with corresponding issues relating to performance.⁹ Our own research suggests an even more complex picture but confirms a staffing base during the 1830s and early 1840s that we might regard as primed for the realization of the potential for petty tyranny. Even as the Central Authority moved to define job roles, we have shown it to be ineffective in weeding out large numbers of bad apples when faced by local intransigence. In turn, the informal (at least outside the arrangements contained in local acts) and erratic

⁸ Taylor, ‘The unreformed’, p. 68.

⁹ Midwinter, *Social Administration*, p. 40.

'visiting' of institutions witnessed under the Old Poor Law was supposed to be replaced after 1834 with a system of visiting committees, to whom the inmate poor were to have recourse. We have suggested that the system was patchily adopted across England and Wales and even more patchily effective. Indeed, it is possible to see this formal mechanism outpaced by the middle-class philanthropic visiting movement from the 1850s, particularly for places with sustained – if normally chronologically contained – records of tyranny.¹⁰ The mechanism of a Central Inspectorate was intermittent as a formal deterrent to tyrannical practice, and our analysis of that inspectorate and the impact of the central circulars on local practice that often emerged from its work, is an important one for the wider poor law literature.

Even in this area, however, we have shown that while the inspectorate (individually and collectively) was very much alive to extreme brazen, brutal, and deadly punishment regimes, they were often unable or disinclined to intervene effectively over (as well as being much less attuned to) lesser material, practical, and symbolic currencies of tyranny. This was so all across England and Wales, and even in circumstances in which paupers claimed that such tyrannies were entrenched and routinized within particular places across the types of union and workhouse that we find under the New Poor Law. For these reasons we have seen other forms of control on the potential for tyranny, many of them shared with the Old Poor Law, after 1834. Thus, we have suggested a persistent place for advocates and social investigators in confronting the breakthrough of petty tyranny, engaging localities and the Centre in its remediation, and seeking to dissuade further realization of what many acknowledged as the latent potential for this sort of experience. Pauper inmates, families, and communities have an important place, both as writers and also as groups deploying small acts of resistance in a constant skirmish with workhouse authorities, staff, and guardians. While Peter Gurney suggests that 'the laughter of the poor cracked the face of tyranny' in the forum of public inquiries, we argue that even prior to such events, numerous small and cumulative acts frustrated the ability of officials to govern the workhouse as they pleased.¹¹ Some were remarkably inventive, as for instance in the sacking of the Tynemouth schoolmistress Miss Hills in 1887. Here, Maria Johnson suggested to a wider group of girls that 'we should try to get [the tyrannical] Miss Hills sent away'. Subsequently, Johnson 'sucked Scotts back' to give the

10 Such visiting may also be understood as a mode of tyranny, reflecting C. S. Lewis's conclusion that 'Of all tyrannies, a tyranny sincerely exercised for the good of its victims may be the most oppressive'; Lewis, *God*, p. 213. We are grateful to Dr Nic Morton for this observation.

11 Gurney, *Wanting and Having*, p. 86.

impression of bruising and assault, and ‘thrashed it with a strap with four or five tails’. Another girl subsequently testified that ‘Maria Johnson sucked Fraser and Scott’s backs in the bedroom and finished it in the lavatory’, with the result that Hills was dismissed after a local inquiry, these details only coming to light a full year later.¹² The original case had attracted newspaper headlines, confirming that public opinion was as important in constraining the breakthrough of petty tyranny under the New Poor Law as it was under the Old.

We have argued that formal, informal, and accidental (arising out of local animosities between those who held power) controls were more effective in hedging the potential for petty tyranny in the pre-1834 workhouse than was the case under the New Poor Law. Yet, if we accept that only the most determined writers and advocates get past the obstacles normally placed in their way to prevent wider exposure and recording of instances of petty tyranny, then we can draw three broad conclusions from the collective evidence employed in our book.

First, that the clear potential for the practice of petty tyranny in all the guises we have identified *did* translate significantly into real pauper experiences under both Old and New Poor Laws. For many it was episodic and highly situational, but (and reflecting our tripartite definition of petty tyranny) we have argued here for something more: a routine – even casual – degree of petty tyranny associated with the wider provision and management of workhouses of all sorts. These experiences inevitably add up to a ‘feeling’, expectation, or latent fear of petty tyranny among the actual, potential, and former residents of poor law institutions.

Second, that while much routine tyranny might be tolerated, especially by subgroups of paupers who expected their workhouse residence to be brief, many individual instances were exposed and confronted. This confrontation did not always result in effective remediation, but we have presented deep cumulative evidence of a sense – in the public realm, by paupers, advocates, and even some officials – that petty tyranny was morally wrong and that it should and could be resisted. Indeed, we have traced some fascinating stories of success in this area, while more widely it is possible to argue that such mechanisms do much to explain the striking lack of national poor law scandals before and after 1834.

But third, we do not see evidence that those overseeing the founding, financing, and running of either Old or New Poor Law workhouse-like institutions learned sustained or sustainable lessons. The same sorts of tyrannies

12 TNA: MH12/9189, 7965, Four witness statements in the case of Miss Hills, 23 December 1888.

are common to both systems. While they might be eliminated or systematically contained in one place, we are struck by how often the same places revert to type and (even if they do not) by how frequently we see the occurrence of the same practices within the broad physical area, even if obvious potential patterning (urban versus rural, north versus south, etc.) has no traction in our analysis. This might perhaps be expected under the Old Poor Law, where local practice could vary markedly and where, with very few exceptions, institutional provision was chaotic, unstable, or downright fleeting. We could have imagined a different scenario in a centrally directed and controlled New Poor Law governed by circular, statistic, and inspection; but this was never realized.

The consequences of the latter observations are significant. They signal resistance and agency as an ongoing project, constantly reinvented as institutional populations churned and with a premium on individual and collective memory. A constant undertow of potential low-level tyrannical practice, and its episodic breakthrough into everyday realities, might also signal an inbuilt resistance of institutional cultures to changing external narratives – the ‘big themes’ outlined in chapter 1 – on the causation of poverty, the moral standing of the poor, and the wider balancing of the claims and obligations of citizenship. In turn, our sense that much of the active realization of petty tyranny was situational and individual, even if sometimes tied in extended ways to place, suggests both new avenues for research and a need to be sceptical of a sense that there will be ingrained patterning to experience and practice. It would be interesting in this context to reflect on whether the constant policing to which we refer fell to particular sorts of people, perhaps contrasting the activities and resistance of long-term inmates with those of the the recently arrived or soon to depart. Notwithstanding a significant increase in the scale and depth of research on the Old and New Poor Laws over the last three decades, we clearly need to know much more about the everyday experiences of the institutional poor. If – as, in fact, much of our evidence suggests – poor people circled, entered, or tried to escape workhouse-like institutions informed by the expectation that they *would* be subject to routinized pretty tyranny, then we might understand these everyday lives as curated acts of avoidance or resistance.

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This book focuses on one of the most contentious areas of English and Welsh poor law history: the exercise of petty tyranny by officials on the workhouse poor. The book examines the period from the late-eighteenth-century crisis of the Old Poor Law, through the adoption of the New Poor Law reform in 1834, the loosening of the 'principles of 1834' in the 1890s, and on past the early-twentieth-century Liberal reforms, to the eve of World War I. This long chronological sweep thus examines the Old and New Poor Laws together as experienced by generations of pauper inmates.

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